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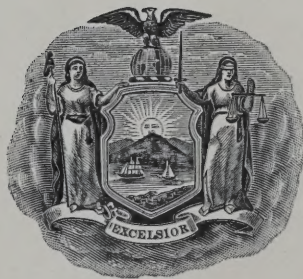
1910³⁴

DOCUMENTS
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK.
ONE HUNDRED AND THIRTY-THIRD SESSION.

1910.

VOL. XXXIV.—No. 67.—PART 2.



ALBANY
J. B. LYON COMPANY, PRINTERS
1910

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1910³⁴

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MINUTES
of the
EXECUTIVE COUNCIL

272387



CORNELIS STEENWIJCK

Mayor of New York City from August, 1668, until October, 1670,
and a Member of Lovelace's Council.

(From the Original Painting in the New York Historical Society.)

MINUTES of the
EXECUTIVE COUNCIL
of the Province of New York

Administration of Francis Lovelace
1668-1673

Volume II

COLLATERAL AND ILLUSTRATIVE
DOCUMENTS
XX-XCVIII

Edited by VICTOR HUGO PALTSITS, *State Historian*



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1910

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ILLUSTRATIONS

Portrait of Cornelis Steenwijck, with an Inset View of New Amsterdam Frontispiece

He was mayor of New York City from August, 1668, until October, 1670; became a member of Governor Lovelace's Council, and altogether was one of the leading men in the province during this administration. From the original painting in the possession of the New York Historical Society, through whose courtesy it is reproduced here.

Petition of Richard Smith, Founder of Smithtown, Long Island, to Governor Lovelace, September 6, 1671, on his Boundary Dispute with the Town of Huntington over Nesaquake Lands. Opposite p. 434

Autographs of Captain John Carr and other Leading Men at the Delaware. Opposite p. 498
Original Size.

Draught of Matinicock Lands as interpreted by the Indian Sachem, Tackapouche, March 22, 1667/8 Opposite p. 569

From *Land Papers*, vol. 1, p. 30, in the office of the Secretary of State.

Declaration by Thomas Terry concerning Matinicock Land Opposite p. 572

Signatures of Commissaries and Magistrates at the Delaware. Opposite p. 603

Second Page of Captain John Carr's Letter to Governor Lovelace, November 27, 1671. Opposite p. 608

Bond for Payment of Confiscated Land in Brooklyn, January 25, 1672/3 — In Dutch Opposite p. 625

Second Page of Captain Edmond Cantwell's Letter to Governor Lovelace. Opposite p. 683

First Page of Subscription List for the Repair of Fort James, New York City, July, 1672. Opposite p. 704

Letter from John Paine to Governor Lovelace	Opposite p. 726
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Form of Indictment of Thomas Faulx....	Opposite p. 769
Original Warrant for the Arrest of Daniel Lane, with Auto- graph of Governor Lovelace, and Seal..	Opposite p. 801
Map entitled: <i>Totius Neobelgii Nova et Accuratissima tabula</i> , with an Inset View of New York, published at Amsterdam, by Carolus Allard.....	In Pocket

From an original exemplar of the engraved map in Harvard College Library, through whose courtesy it is reproduced here for the first time in exact size. The map is an amplified copy of the Nicolas J. Visscher prototype, which was first published by Visscher at Amsterdam, about 1655, and which persisted for nearly a century under other names. The Allard map has additional or changed place-names, e.g. "Schenechtade" (founded in 1662), "Wiltwyck a1s Kingstoun" (renamed in 1669), "Maerbeltown" (erected in 1669) and Philadelphia (laid out in 1682). It is found as one of the maps that comprise Allard's *Atlas minor*, published compositely at Amsterdam about 1696, it is supposed, because three other maps in the volume bear that date.

The engraved view of "New Amsterdam lately named New York" represents the third known type and makes its first appearance on this Allard map. It was reissued, subsequently, by Seutter and by Reiner and Joshua Ottens in atlases published by them. Asher supposed that this view was engraved by Romeyn de Hooghe and it is believed to be a copy from an original sketch made not later than 1670. Another view of the town, also published by Carolus Allard, appears in his *Orbis habitabilis oppida et vestitus*, published at Amsterdam, about 1690.

The earliest engraved view of New Amsterdam, representing the settlement as it appeared about 1630, is found on p. 21 of *Beschrijvinghe van Virginia, Nieuw Nederlandt* [etc.], published at Amsterdam by Joost Hartgers, in 1651. It is type No. 1 and appeared again on p. 9 of the first edition of Adriaen vander Donck's *Beschryvinge van Nieuw Nederlandt* (Amsterdam, 1655). The second type of an engraved view is an inset on the Nicolas J. Visscher map of about 1655, and pictures the town about 1640. Mr. J. H. Innes supposes that this view was derived from a sketch by Augustine Heerman. A section of the map and a poor copy of the view form a folded plate in the second edition of Vander Donck's booklet, published in 1656. This view also persisted for some time. Ogilby (1669) and Montanus (1670) give nondescript copies of it, and there are others. The Allard view, as already stated, forms the third engraved type.

COLLATERAL AND ILLUSTRATIVE

DOCUMENTS

XX—XCVIII

No. XX.

ALBANY — CAPTAIN JOHN BAKER.

Instructions for Capⁿ John Backer
[sic] for y^e well regulating of y^e
Militia and other Affaires at
Albany.¹

O. W. L.
2: 229
(NYSL)

1 Because t^{is} in vaine to give Instructions unlesse you observe them punctually; you are strictly charged and required, to read them over frequently, and not to follow yo^r owne humo^r but my ord^{rs}

1668
August

2 You are to keepe a Constant guard in y^e Fort: But since there is not Evident danger of Force or Surprisall, you may lessen the duty of y^e Sould^{rs}, whereby they may haue liberty to advance them selves by worke or trade.

3 You are to keepe good ord^r and discipline with y^e Sould^{rs} not lending to easy an eare to their Complaints against their Land Lords; But where you find the Comp^{ts} reasonable you are to make it knowne to y^e Comissaryes, who are Empowred to giue redresse therein against their Land Lords or any other Inhabitants who shall offer violence of Iniury to the Sould^{rs}.

4 If any of y^e Inhabitants made a iust Complaint against a Sould^r the punishment of y^e Sould^r belongs onely to yo^r selfe.

5 In matters Capitall or treatyes with y^e Indians, you are to sitt in y^e Fort with y^e Schout and Comissaryes as y^e upper Co^{rt} whereof you are to bee president and upon Equall

¹ Another record of these instructions, without date, is in *New York Colonial Manuscripts*, vol. 22, p. 10.

O. W. L.
2: 229
(NYSL)

1668
August

division of voices, to have the Casting and decisiue voyce:
But in the Ordinary Co^{rts} for Civill affaires you haue nothing
to doe.

6 You are to give the word to y^e Militia offic^r of y^e Towne
and Especially when any Report is brought of any danger
to Cause more strickt guards to bee kept.

7 You are to keepe a faire Correspondence with y^e Comis-
saryes and toward all the Inhabitants and Endeavo^r to live
as Brothers together. Avoiding all occasions of Publick
Controversy or falling out: But if you haue any greevance
make it knowne calmly without heate or passion to y^e
Court; And if they doe not give redresse you are to remitt y^e
matter to mee as it was delivered to y^e Co^{rt}

8 Lett not yo^r eares bee abused with private Storyes of
y^e Dutch, being disaffected to y^e English, for generally wee
cannot expect they love us; But when you haue any sufficient
Testimony against any Dutchman of words or Actions tend-
ing to y^e Breach of Peace or scandalous defamaçon, deliver
over the testimonyes to the Commissaryes, from whome I
expect Justice shall bee done.

9 You are to Cause the guard house to bee repaired, as
also other necessaryes repaires to bee made, with as little
expençe as is possible, knowing the narrowness of our present
Condiçon.

10 You are to receive the third of y^e Fines from y^e Scout
as they are establisht under my hande as also to Continue
the practise of giving ticketts for Entryes of goods upon
Sloopes as formerly not to encrease the Rates but by each
Sloope sende y^e Entry signed with yo^r hand to M^r van Ruyven

11 If it shall at any time happen that y^e Indyans comitt
any violence at or neare Albany, you are to Joyne in Councell
with y^e Commissaryes, what is best to bee done till my further
directions can bee knowne.

12 I haue taken that Care for y^e provisions that you shall not meddle further therein.

O. W. L.
2: 229
(NYSL)

13 You are from time to time as occasion presents in Company with y^e Commissaries to give Audience to y^e Sachem of All nations: And after advice with y^e Commissaries, returne them answers, suitable to their proposalls. You are to receive their presents: And make them presents at yo^r owne Charge.

1668
August

14 You are to receive from y^e Pachter of y^e great Accise two hundred guild^{rs} Seawan for y^e fringe of yo^r house the Commissaries will pay the heiringhe of y^e Scowe alone without hands for yo^r use twice in y^e yeare

15 There are some Sould^{rs} who haue undertaken to furnish the Guard and Sould^{rs} quarters in Towne with sufficient firewood yearely for Six hundred guild^{rs} Seawan the Commissaries will lende them y^e Scowe six times at their Charge But y^e Sould^{rs} are to man y^e Scowe

16 You are to see that those bedds and appurtenances, which were delivered to you bee distributed amongst y^e Sould^{rs} according to their numbers bee not any wayes embezeled nor abused by them since an acc^t will be required from you of them.

17 You are as often as occasion presents to send to mee, to giue an acc^t of y^e State of all affaires and transactions with you: And in Case of great importance and i^mergences, you are to sent expresse Messengers either Christians or Indyans according to y^e Seasonableness of the yeare by either of w^{ch} that can perform the journey [*sic*] best.

18 And forasmuch as it appeares evident to mee that severall Comp^{lts} being exhibited against the Burgers of this Towne whereof some of them are very meane in their nature, others of some yeares standing all tending but to y^e unsettling of mens mindes: And rising up those Seedes of distrust and

O. W. L.
2: 229
(NYSL)

1668
August

Jealousie amongst us, which aboue all things ought principally to bee avoyded: My will and pleasure is that to this present there bee a Generall Amnistia and Oblivion And for y^e future that no Complaints bee brought before mee but such as are of High nature and the proofes grounded upon sufficient Testimonyes and to referre Crimes, of smaller nature to y^e Comissaryes before whome they properly lye.

These Instructions were given at Albany by both the Governo^{rs} in August 1668.¹

No. XXI.

KATHERINE HARRISON AND WITCHCRAFT AT
WESTCHESTER.

C. A.
2: 563
(NYSL)

An Ord^r for Katherine Harrison to
Remove from Westchest^r

1670
July 7

Whereas Complaint hath beene made unto me by y^e Inhabitants of Westchest^r ag^t Katherine Harrison late of Wethersfeild in his Ma^{ties} Colony of Conecticott widdow, That contrary to y^e consent & good liking of y^e Towne she would settle amongst them, & she being reputed to be a person lyeing und^r y^e Supposi^{co}n of Witchcraft hath given some cause of apprehension to y^e Inhabitants there, To y^e end their Jealousyes & feares as to this perticuler may be removed, I haue thought fitt to ord^r & appoint that y^e Constable & Overseers of y^e Towne of Westchest^r do giue warning to y^e said Katherine Harrison to remove out of

¹ This seems to be the only known official instrument in which Nicolls and Lovelace acted jointly, on the eve of the departure of the former from the province.

their p^rincincts in some short tyme after notice giuen, & they are likewise to admonish her to retorne to y^e place of her former abode, that they nor their neighbours may receiue no furth^r disturbance by her, Given und^r my hand at ffort James in New Yorke this 7th day of July 1670.

C. A.
2: 563
(NYSL)

1670
July 7

[Francis Lovelace.]

An Ord^r for Katherine Harrison
& Captⁿ Richard Panton to
appeare at y^e ffort before
y^e Governo^r

C. A.
2: 577
(NYSL)

Whereas Complaint hath beene made unto me by y^e Inhabitants of Westchest^r ag^t Katherine Harrison widdow That she doth neglect to refuse or obey my late Ord^r concerning her removall out of y^e said Towne, These are to require yo^u that yo^u give notice unto y^e said Katherine Harrison as also unto Captⁿ Richard Panton at whose house she resydeth, That they make their personall appearance before me in this place on Wednesday next being y^e 24th of this Instant month, when those of y^e Towne that haue ought to object ag^t them doe likewise attend, where I shall endeavo^r a Composure of this difference betweene them. Given und^r my hand at ffort James in New Yorke this 20th day of August 1670.

1670
Aug. 20

[Francis Lovelace.]

To y^e Constable of
Westchest^r

A warrant to y^e Constable of West-
chest^r to take an Account of y^e
Goods of Katherine Harrison.

C. A.
2: 584
(NYSL)

These are to require yo^u to take an Account of such Goods as haue lately beene brought from out of his Ma^{ties} Colony

1670
Aug. 25

C. A.
2:584
(NYSL)

1670
Aug. 25

of Conecticott unto Katherine Harrison, & having taken a Note of y^e Particulars that yo^r retorne y^e Same unto me for y^e doing whereof this shall be yo^r warrant, Given und^r my hand at ffort James in New Yorke this 25th day of August 1670

[Francis Lovelace.]

To y^e p^rsent Constable
of Westchester.

C. A.
2:585
(NYSL)

An Ord^r concerning Katherine
Harrison.

1670
Aug. 25

Whereas seuerall Adresses haue beene made unto me by some of y^e Inhabitants of Westchest^r on behalfe of y^e rest desiring that Katherine Harrison late of Wethersfeild in his Ma^{ties} Colony of Conecticott widdow at p^rsent residing in their Towne may be ordered to remove from thence & not permitted to stay wthin their Jurisdiction upon an apprehension they haue of her grounded upon some troubles she hath layne und^r at Wethersfeild upon suspition of Witchcraft, the reasons whereof do not so clearely appeare unto me, Yett notwthstanding to giue as much satisfaction as may be to y^e Comp^{lts} who p^rtend their feares to be of a publique Concerne, I haue not thought fitt absolutely to determyne y^e matt^r at p^rsent, but do suspend it untill y^e next Gen^{rl} Co^{rt} of Assizes, when there will be a full meeting of y^e Councell & Justices of y^e peace to debate & conclude y^e same, In y^e meane tyme y^e said Katherine Harrison wth her Children may remaine in the Towne of Westchest^r where she now is wthout disturbance or molestation, she having given sufficient security for her Civill carriage & good behaviour. Given und^r my hand at ffort James in New

Yorke this 25th day of August in y^e 22th yeare of his Ma^{ties}
Raigne Anno^o Domini 1670. [Francis Lovelace.]¹

C. A.
2: 585
(NYSL)

1670
Aug. 25

An Order for y^e Widdow Harryson.

C. A.
2: 670
(NYSL)

1671
Apr. 7

Whereas I am given to understand that one ffrancis Yates of your Towne haveing gotten into his Hands severall Papers and Writeings in Trust belonging to the Widdow Katherine Harryson now resideing amongst you, & upon severall p^rtences (though it may be very frivolous) doth detaine them contrary to her good Will & likeing; These are to require you that you forthwth demand & cause y^e said ffrancis Yates to deliver unto y^e said Katherine Harryson or her Order all Papers or Writeings left by her in Trust with him, or that hee Hath otherwise contrived of hers into his Custody; And that you render Acco^t hereof speedily unto mee. If y^e said Robert Yates hath any p^rtences of Debt, Acco^t or Damage, against y^e said Katherine Harryson, y^e due Course of y^e Law ought to be prosecuted, & noe person allowed to be Judge in his own Cause. Given under my Hand at ffort James in New Yorke this 7th day of Aprill. 1671.

[Francis Lovelace.]

To y^e Constable & Overseers
of West-chester.

[Lovelace to the Constable of Westchester.]

C. A.
2: 691
(NYSL)

Whereas I am given to Vnderstand y^t upon pretence of Moneys due from y^e Widdow Harryson for y^e Portion of

1671
May 19

¹ Katherine Harrison, having been bound over to appear before the General Court of Assizes, held in the city of New York, was by an order of that court on October 7, 1670, released from her bond and given liberty "to remaine in

C. A.
2:691
(NYSL)

1671
May 19

one of her Daught^{rs} married to one of y^e Sons of Thomas Hunt Sen^r, you have layd an Attachm^t upon her Goods as shee was about to remove them from yo^r Towne, as also upon y^e Boate of Theophilus Ellsworth who was hired to Transporte them; y^e w^{ch} is contrary to Law for any Constable without a Justices Warrant, to Attach upon y^e Acco^{ts} of Debt above y^e vallue of ffive pounds. And it appearing not that shee hath made any Engagement to pay any Summe of Money to her Daughter in Marriage with her Husband, & doth tender Security to make Answer to y^e Suite of y^e said Thomas Hunt & his Son; These are to require you if it appeare as is informed, that you forthwith release both y^e Goods & Boate under Attachm^t, takeing M^r ffrench his Engagement that y^e said Widdow Harryson by her selfe or Attorney shall make Answer to their Complaint at y^e next Court of Sessions to be held at Jamaica for y^e North-Rideing if any suite shall legally be Co^menced against her. Given under my hand at ffort James in New Yorke this 19th day of May 1671.

[Francis Lovelace.]

[To the Constable of Westchester.]

G. E.
4:8
(NYSL)

1671
July 19

A Warrant on y^e behalfe of y^e
Widdow Harryson &c:

These are to require you to aid & Assist Katharine Harryson Widdow, or whom shee shall Employ in makeing Enquiry after & findeing out such Goods as belong to her; y^e w^{ch} (if found) you are to cause to be delivered into y^e possession of, or to whom shee shall appoint, for y^e doeing whereof

the Towne of Westchester, where shee now resides, or any where else in the Governm^t during her pleasure," as nothing appeared against her.—*Court of Assizes*, vol. 2, pp. 238, 239, 255.

This shall be your Warrant. Given under my Hand at
 fforte James in New Yorke this 19th day of July. 1671. G. E.
4:8
(NYSL)
 ffran: Lovelace.

To any of y^e Constables or other
 Offic^{rs} upon Long Island or
 other parts within this Governm^t 1671
July 19

No. XXII.

LAND OF MARITIE DAMEN AT CANESTAGIONE.

An Ord^r for Maritie Damen quietly
 to possesse her Land at Albany.¹ C. A.
2:546
(NYSL)

Whereas Maritie Damen y^e wife of Cornelijs van Nes of
 Albany did obtayne a Patent from my Predecessor Co^{rt}
 Richard Nicolls for a certaine peice of Land called Canes-
 tagione, y^e w^{ch} seuerall persons as I am informed who
 haue since purchased Land neare unto it, upon p^rtence of an
 Ord^r that all those Lands should be layd out & devided into
 Lotts doe giue out that they will wthout y^e Consent of y^e
 Owner divide & cast Lotts for y^e same although she bee
 willing of her selfe to obey y^e ord^r made concerning y^e Erect-
 ing of houses in a Neighborhood, These are to require all
 persons whome this may Concerne That they forbear
 giuing any molestation or disturbance unto y^e said Maritie
 Damen in y^e Enjoym^t & possession of her said Land upon
 any p^rtence whatsoever, but that all matters relating there- 1670
June 8

¹ The place in the original heading is an error for Canestagione. Her Albany house-lot was not involved in the case.

C. A.
2: 546
(NYSL)

1670
June 8

unto doe remaine as they are untill I shall come up my selfe
or send some persons to giue ord^r therein as y^e nature of y^e
Cause shall require, Given und^r my hand at ffort James in
New Yorke this 8th Day of June 1670.

[Francis Lovelace.]

G. E.
4: 283
(NYSL)

A Confirmation of an Island unto Jan Clute,
w^{ch} hee bought of Helletije Cornelissē.

1671
Aug. 2^d

Whereas Helletije Cornelissen hath sold & transported
unto Jan Clute all her Right, Title & Interest to a certaine
Island in the Maques River near Canestagia called the
Great Island, together with the Patent shee obtained for it of
my Predecesso^r. Coff: Richard Nicolls, I doe by these Presents
Ratify & Confirme the same unto the said Jan Clute his
Heyres & Assignes forever: Together wth the six Morgan of
Land Ordered by my Approbation unto the said Jan Clute
out of Maritien Damens Land; for the which shee is to have
the Consideration agreed upon, as more particularly [*sic*],
as more particularly is sett forth in the Prothocoll or Records
of the Commissaries at Albany. And whereas y^e said Jan
Clute & Herman Vedder hath likewise made Purchase from
the Indyan Proprieto^{rs} of a certaine small Island in the
same River, having to the East the great Island afore-
mentioned, (a Kill running between them) on the Southside
the Main Land, on the West & North the River, wth which
it is surrounded. And the said Jan Clute having by Agreem^t
procured y^e Interest of Herman Vedder, soe that it wholly
appertaines to him; By Vertue of the Commission & Author-
ity unto mee given by his Royall Highnesse, I doe also
Ratify & Confirme y^e said Island & Premisses to the said
Jan Clute his Heyres & Assignes forever. Given under

my hand & Seale at ffort Albany this 2^d day of August
 in y^e 23^d yeare of his Mā^{ties} Reigne, Annoq^e Domini
 1671.

G. E.
 4:283
 (NYSL)

ffran: Louelace.

1671
 Aug. 2

No. XXIII.

NEW YORK CITY—PENALTY FOR STEALING
 CANOES AND BOATS.

An Ord^r concerning y^e Stealing of
 Canoes.

C. A.
 2:617
 (NYSL)

Whereas Divers persons do p^rsume to take or Steale away
 Canoes as they are fastned by y^e water syde, & many tymes
 to cutt painters & other Cordage belonging to boats or
 Vessells in y^e harbour, Contrary to y^e Ord^{rs} heretofore
 made by y^e Mayo^r & Aldermen of this Citty of w^{ch} many
 Compl^{ts} haue beene made unto me & Redresse desired
 therein, I haue by & wth y^e advice of my Councell thought
 fitt to publish & declare, That what p^{er}son or p^{er}sons
 Soever shall henceforth steale or take away any Canoe or
 boate fastened by y^e water syde or at Anchor in y^e River or
 shall Cutt any Painter or Cordage belonging to any boat or
 Vessells in this harbour or elsewhere wthin y^e Governm^t
 The p^{er}son or p^{er}sons so offending shall be lyable to a Severe
 fyne Inprisonem^t wthout bayle or Mainprise or Corporall
 punishm^t according to y^e Demeritts of y^e fact. Given
 und^r my hand at ffort James in New Yorke this 5th day

1670
 Nov. 5

C. A. of Novemb^r in y^e 22th yeare of his Mat^{ties} Raigne Annoq³
2: 617 Dñi 1670.
(NYSL)

[Francis Lovelace.]

1670
Nov. 5 To y^e Mayo^r & Aldermen of this
Citty to cause this Ord^r forthwth to
be publisht at y^e Statehouse.

No. XXIV.

WHOREKILL, DELAWARE — ABOLITION OF THE
CUSTOMS.

C. A.
2: 480
(NYSL)

An Ord^r for Captⁿ Martyn Cregier to receiue y^e
custome for all European goods imported at y^e
Hoare Kill (vizt) 10. p Cent.

1669/70
Mar. 15

Whereas I am giuen to understand that all European goods imported at y^e Hore kill in Delaware bay did heretofore pay custome at y^e Rate of 10. p Cent & all fures or Peltry Exported from thence y^e same Rate, w^{ch} turned to some advantage towards y^e support of y^e Governm^t, Upon mature advice & consideration had hereof I haue thought fitt to renewe y^e former Custome, & do therefore hereby ord^r & appoint Captⁿ Martyn Cregier who is a person well verst in y^e Trade of those partes & very well knowne to y^e people there both Christians & Indians to be receiuer & collecto^r of y^e customes at y^e Hore kill, where by himsele or his deputy he is to receiue 10. p Cent of all European goods imported there wheth^r comeing from this place Newcastle in Delaware or any other parte, & Tenne per Cent also for all fures or Peltry Exported from thence

according to former custome & usage on that behalfe, & all persons whatsoever trading thither or from thence to any other place are to take notice hereof & to obey this my Commission und^r y^e penalty of confiscation of their goods if they shall presume to doe otherwise The said Captⁿ Cregier standing obliged to be answerable here for all such custome as shall be receiued by himselfe or Deputy there, of w^{ch} he is to render unto me a due & Exact Account, Given und^r my hand this 15th day of March in y^e 22th yeare of his Ma^{ties} Raigne Annoq̃ Domini 1669. [Francis Lovelace.]

C. A.
2: 480
(NYSL)

1669/70
Mar. 15

An Abolition of a Late Ord^r for
y^e Customes at y^e Whore kill.

C. A.
2: 604
(NYSL)

Whereas I Received a Petition from y^e Inhabitants at y^e Whore kill in De la ware Bay wherein is represented unto me y^e great Inconvenience of y^e late Imposition of 10. [¶] Cent upon all furies & peltry Exported from thence, The w^{ch} hath no way redounded to a publique good as was proposed, but on y^e Contrarye in Some short tyme might be y^e Occasion of y^e losse of Trade there, Upon due & mature consideration had hereupon by & wth y^e Advice of my Councill & in compliance to y^e Petition and request of y^e Inhabitants as well as for an Encouragem^t unto them I have thought fitt to remitt & abolish y^e late ord^r for Customes there, Giving and graunting unto them y^e Same priviledges & libertye they had formerly, provided it doth not extend to y^e abuse of selling too great quantityes of Liquors to y^e Indians, nor any way to p^rjudice their neighbo^{rs} of New Castle upon w^{ch} place they are to haue their dependance. Given und^r my hand & sealed wth y^e Seale of y^e Province this 22th day of Octob^r in y^e 22th yeare of his Ma^{ties} Raigne Annoq̃ Domini 1670. [Francis Lovelace.]

1670
Oct. 22

No. XXV.

NESAQUAKE LANDS CONTROVERSY — RICHARD
SMITH *vs* THE TOWN OF HUNTINGTON,
LONG ISLAND.¹

Deeds
2: 172
(Sec. State)

Entred for Mr Smith of Nesaquake, this
Indyan Deed, the 2^d day of March 1666.

1650
Sept. 29
and
1663
May 28

Recorded
1666/7
Mar. 2

Articles of Agreem^t, betweene Naseconseke, Sachem of Nesaquanke of the one part, and Edmond Wood, Jonas Wood, Jeremy Wood, Timothy Wood, and Dan.ⁿ Whitehead, of the other, and Stephen Hudson.

This Writing wittneseth That I Nasseconsack, Sachem of Long Island, do sell and make over to the aforesaid

¹ The controversy between Richard Smith, founder of Smithtown, L. I., and the town of Huntington about jurisdiction over the Nesaquake lands is very intricate. Accordingly, a large body of records is presented in this group, including the proceedings in the Court of Assizes. On March 27, 1666, Matthias Nicolls wrote a letter to the Constable and Overseers of Seatalcott (Brookhaven), on the order of Governor Nicolls, and in behalf of Smith, stating that the governor had confirmed the agreement between Connecticut and Smith as to the Nesaquake lands and for which Governor Nicolls had granted Smith a patent "with the Priviledge that it shall bee free from all Rates and Taxes, from the first Settlement, untill a certaine Terme of yeares shall bee expir'd as in the Patent is exprest," and qualifying the same as meaning "from y^e Time of his [Governor Nicolls's] arrivall here [New York], untill such a Time, the Land shall bee free."—*Orders, Warrants, Letters*, vol. 2, p. 34. A few days later, on April 3, Matthias Nicolls informed Smith that it was the governor's pleasure "the Time of yo^r Lands at Nesaquank, being free from Rates, shall begin onely from the day of the date of your Patent, And what you have beene Assessed before for those Lands, is to bee paid to the Officers Empowred by the Law to receive it."—*Ibid*, p. 40. In an agreement entered into between the town of Seatalcott and Smith, on April 15, 1666, it was provided that "nothing in the said Patent exprest, shall hinder y^e said Rich^d Smith from Trying his Title at Law, to any Land that now is, or hereafter may bee in question betweene him and the Towne of Seatalcott, or any others."—*Ibid*, p. 42.

¶ties, Edmund Wood, Jonas Wood, Jeremy wood, Timothy wood, Stephen Hudson and Daniell Whitehead, a certaine quantity of Land, beging at a River called, and comonly knowne by the name of Nesaquanke River, And from that River, Eastward to a River called Memenusack, lying on y^e North side of Long, and on the South side from Conecticott, foure Necks westward, promising, and by vertue of this Writing do promise, that the aforesaid ¶ties, shall quietly Possesse and Enjoy, the said quantities of Land, wthout any trouble or disturbance, from any other Indyans whatsoever, In consideraçon of which Land, wee the aforesaid ¶ties do promise to Pay unto the aforesaid Naseconsake, Six Coates, Six ffathom of Wampome, Six Howes, Six Hatchets, Six Knives, Six Kettles, one hundred Muxes, to bee paid, on or before the 29th of September 1650; In wittnesse whereof, wee have sett to Our hands

Deeds
2: 172
(Sec. State)

1650
Sept. 29
and
1663
May 28

Recorded
1666/7
Mar. 2

Nasconseck X his Marke.

Wegatus X his Marke.

The Sachems Jetes X Marke
for Gacus

The Sachem for Ooninecus X
Matacis X his Marke.

This is a true Copy of y^e Originall,
perused by us
Jonas Wood,
Tho: Weekes¹ X his Marke.

I Jonas Wood, do hereby Testify, That I, and Jeremy wood, and Daniell Whitehead, went to view the foure Necks of Meadow, lying westward from Conecticott River, mentiond in the Bill of Nessaquanks Purchase, and there lived an old Homes and his Sonne, whose name was Wanequaheag,

¹Thomas Wilkes.

Deeds 2: 172 who owned those Necks, and wee told them that Nasconsak,
 (Sec. State) had undertaken to sell us those foure Necks, and they seemed
 Cont. very willing.

Jonas Wood.

May 28th
 1663.

Deeds 2: 252 Articles of Agreem^t betwixt Rasaocon, Sagamore
 (Sec. State) Huntington. of Matinnicock, of y^e one party, and Richard
 Holbrooke, Robert Williams & Dan: Whitehead,
 of the other party wittneseth as followeth.

1653
 Apr. 2
 Recorded
 1667
 Nov. 2

Know all men, whom this p^rsent writing, may any way
 concerne, That I Rasaocon, do Sell and make over unto the
 aforesaid Partyes (vizt) Rich^d Holbrooke Rob^t Williams
 and Dan Whitehead, their Heires, Executo^{rs} or Assignes a
 certaine quantity of Land, lying and being upon Long
 Isld Bounded upon the west side, with a River co^monly
 called by the Indyans Naccaquatack, and on the North side
 with the Sea, and going Eastward to a River called Oxeat-
 contijck, and on the South side, to the utmost part of my
 Bounds; Promising, and by vertue hereof, I do promise,
 to free the afore said Land, from all Title or Claime that shall
 bee made unto it, by reason of any former Act; In con-
 sidera^{co}n of w^{ch} Land, the aforesaid Holbrooke, Robert
 Williams and Daniell Whitehead doth promise to pay unto
 the said Rasaocon, as followeth, six Coates, six Kettles,
 six Hatchetts, six Howes, six shirts, Ten knives, six fathom
 of wampome, thirty Muxes, thirty Needles: ffurther y^e said
 Rasaocon doth promise, to go or send some time in twenty
 dayes, to shew and marke out the Bounds, And in case it
 prove not according to expecta^{co}n, then this writing to bee
 void, and of non effect, But in case it bee, then this writing
 to stand in full force, power & vertue, wittnesse O^r hands y^e
 2^d of Aprill 1653.

The Marke	X	of y ^e Sagamore.	Rich ^d Holbrooke	Deeds
The Marke	X	of Michama.	his R Marke.	2: 252
The Marke	X	of Honokes.	Robt Williams.	(Sec. State)
The Marke	X	of Syhar,	Daniell Whitehead.	1653
The Marke	X	of Poynoypa.		Apr. 2
The Marke	X	of Navamarawas.		Recorded
The Marke	X	of Mahenas,		1667
The Marke	X	of Onamycas		Nov. 2
The Marke	X	of Monytong.		
The Marke	X	of Poanepou		
The Marke	X	Peweton.		
The Marke	X	Nascovet.		
The Marke	X	of Suauspack.		
The Marke	X	of Nemapapam.	This is a true Copy of y ^e	
The Marke	X	of Vampas.	Originall Deedes, wittnesse	
The Marke	X	of Nasceke.	our hands.	
The Marke	X	of Yapacaman.	Tho: Richards.	
The Marke	X	of Seanomy.	Moses Johnson.	
The Marke	X	of Ancehepim.		
The Marke	X	of Wercocem.		
The Marke	X	of Winhampas.		
The Marke	X	of Asgeloves.		
The Marke	X	of Mamavam.		
The Marke	X	of Tiompom.		

Entred for the Towne of Huntington Deeds
 this following Indyan Deed, the 2: 153
 15th day of October 1666. (Sec. State)

This Indenture made in the yeare 1656, in or upon y^e 1656
 last day of July, betwixt Asharoken, Matinicock Sachem, July 31
 and the rest of the Indyans, owners wth him, on y^e one part, Recorded
 And Jonas Wood, William Rogers, Thomas Wilkes, for 1666
 Oct. 15

Deeds
 2: 153
 (Sec. State) themselves, and y^e rest of their Associates, on y^e other part
 1656
 July 31 wittnesse, That I Asharocken, have sold unto Jonas
 Recorded
 1666
 Oct. 15 Wood, Willm Rogers, Thomas Wilkes, all the Meadow,
 ffresh and Salt, lying and being upon the North side of Long
 Island, from Our fformer Bounds, Cowharbour Brooke, to
 Nesaquacke River, all y^e Meadow wthin these Bounds,
 west and East, and to the North Sea, to as farr as Asha-
 rockens Bounds, goeth Southwards, as the Neck called
 Eatons Neck, Crabb Meadowes, and all the rest of the
 Meadowes, wthin y^e aforesaid Bounds, wth all the Herbage
 that is, or shall bee hereafter, upon y^e wood Lands wthin
 the aforesaid Bounds, to bee the aforesaid Jonas'es, William
 and Thomas'es, to them and their Associates, Heires and
 Executo^{rs} for ever, reserving to the Indyns, Liberty to
 Plant and Hunt, wthin their aforesaid Bounds, And y^t for
 and in consideraçon of 2 Coates, 4 Shirts, 11 q^{ts} of Liquo^r
 and 11 Ounces of Powder; In wittnesse whereof, wee have
 sett to Our hands. Jonas Wood.
 Asharocken X Marke. William Rogers
 Ahamah X Marke Thomas Wilkes.
 Syhar X Marke
 Roger X Marke Mohenes X Marke
 Poyneppa X Marke Mamarad X Marke.
 Mamarowes X Marke Manateonge X Marke.

Deeds
 2: 251
 (Sec. State)

Recorded for the Towne of Huntington,
 these following Indyan Deeds, the 2^d
 day of November 1667.

1656
 July 31 This Indenture made in the yeare 1656, in or about the
 Recorded
 1667 last day of July, betwixt Asharoken, Montinnicock Sachem,
 Nov. 2 and the rest of the Indyns, owners with him, on the owne
 part, and Jonas wood, William Rogers, Thomas Wilkes;

for themselves and the rest of their Associates, on the other part witnesseth; That I Asharoken, have sold unto Jonas wood, william Rogers, Thomas wilkes, all the Meadow, ffresh and Salt, lying and being upon the North side of Long Island, from Our former Bounds, Cowharbo^r Brooke, to Nesaquack River, all the Meadow within those Bounds, west and East, and to the North Sea, to as farr as Asharokens Bounds goeth Southwards, as the Neck, called Eatons Neck, Crabb Meadowes and all the rest of the Meadowes wthin the aforesaid Bounds, with all the Herbage that is or shall bee hereafter, upon the wood Lands, within the aforesaid Bounds to bee the aforesaid Jonas his, Willms and Thomas his, to them and their Associates, heires and Ex^{rs} for ever; Reserv- ing to the Indyans, Liby to Plant and Hunt, wthin the afore^sd Bounds; And that for and in considera^on of two Coates, foure Shirts, Seven quarts of Liquo^r, and Eleven ounces of Powder; In wittnesse whereof, wee have sett to Our hands.

Deeds
2:251
(Sec. State)

1656
July 31

Recorded
1667
Nov. 2

Asherokenes X Marke.

Jonas wood

Mahamahs X Marke.

W^m Rogers.

Syhars X Marke.

Tho: Wilkes.

Rogers X Marke.

Poyneipa's X Marke.

A true Copy of y^e Deed.

Mamarows X Marke.

wittnesse

Mahenes X Marke.

The A marke of

Mamarod's X Marke.

Ambrose Sutton.

Manateonges X Mke

The Marke O of

Rich^d Bush. ¹

Huntington.

This Writing, Testifyeth an Agreem^t and Bargaine made, betweene Jonas wood of Huntington on Long Island, on the one party, and Mentaquet Sachem, the other party

Deeds
2:253
(Sec. State)

1657
June 1

Recorded
1667
Nov. 2

¹Richard Brush.

Deeds
2: 253
(Sec. State)

1657
June 1

Recorded
1667
Nov. 2

Wittnesseeth, That the aboue said Jonas wood, hath for himselfe and the rest of his Neighbo^{rs} of Huntington, aforesaid, Bought five Necks of Meadow, lying next adjoyning to Messapeagus Sachems Land; And the abouesaid Jonas Wood, doth hereby engage himselfe, for and on the behalfe of his Neighbo^{rs} to pay, or cause to bee paid, unto the above^d Sachem, of Meantauquett, twelve Coates, twenty Howes, twenty Hatchetts, twenty knives, ten pound of Powder, ten pounds of Lead, and one greate Kettle, and one Hatt p^rsent in hand; And doth further promise, to give to y^e said Sachem, every yeare a Coate, for six yeares, next ensuing the date hereof; And the above said Sachem Wyandance, for and in considera^õn of these above said goods, doth give full right and propriety, to the aforesaid Jonas and his Neighbo^{rs}, and their heires for ever, to all the said five Necks of Meadow, and will free them from all Claimes & Titles, that any other may lay thereto; In wittnesse whereof, both p^rtyes interchangeably, put to their hands, this first day of June 1657.

In y^e p^rsence of

Lyon Gandenay.¹

Thomas Talmage

Benjamine Price.

In presence of

John Stickling.

Samⁿ fferman.

as wittnesse

The Marke A of

Ambrose Sutton

The O Marke of

Rich^d Brush

Wyandance X his Marke
Sachem of Maentaquit.

This may wittnesse to all, That Kecoseacock the Sachem of Secoutoke, have resigned up all that right or Interest, hee might any wayes lay unto the Necks of Meadow, expressed above in this writing, and do confirme the Bargaine and Sale of y^e Mantaukett Sachem, as wittnesse my mark Kecossechock X his Marke

¹ Lyon Gardener.

August the 17th 1658.

Huntington.

Be it knowne unto all men, by this writing, That I Wayandance Sachem of Paumanake, or by y^e English called Long Island, Do by these acknowledge to have sold unto Henry Whitnee of Huntington, for the use of the whole Towne of Huntington, I say I have sold to him for them, three whole Necks of Meadow Land, lying on the Southward side of their Towne, and westerly from the six Necks, which wee Bought before these three Necks of Mashapeake Land, I say I for myselfe & my heires, for ever, have sold as above mentioned, and have sent my Agent Checonoto, to deliver it upon condiçons as followeth, first they shall pay, or cause to bee paid to mee, or my Assignes, these following goods punctually, That is first twelve Coates, each Coate being two yards of Trucking Cloath, twenty pounds of Powder, twenty Dutch Hatchetts, twenty Dutch Howes, twenty Dutch Knives, ten shirts, two hundred of Muxes, foure paire of hansome Stockings, one good Dutch Hatt, and a great faire Looking Glasse; And for Chicanoe for his Wages and going to marke out the Land, shall have for himselfe, one Coate, foure pound of Powder, six pound of Lead, one Dutch Hatchett, as also Sixteen Shillings in Wampome they must send by Chicanoe, w^{ch} being punctually paid, then shall I deliver this Deed, which shall bee for the free & quiet possession, of them & their heires forever; And in the meane time, it shall remaine in the hands of Lyon Gandon.¹ In wittnesse whereof, wee have here unto sett our hands, the day above written.

Rich^d Brush O his Marke.

Wittnesse,

Marke

The A of Ambrose Sutton.

¹ Lyon Gardener.Deeds
2:254
(Sec. State)1658
Aug. 17
Recorded
1667
Nov. 2

Deeds
2: 182
(Sec. State) March 6th
1666.

This following Assignm^t was Recorded for
M^r Richard Smith of Nesaquacke.

1658/9
Mar. 2
Recorded
1666/7
Mar. 6

Know all Men, by these p^rsents, That I John Ogden, Senio^r, of Northampton, do Assigne, Alien and sett over, unto M^r Thomas Matthew of Huntington, his Heirs, Execu^{to}^{rs} Adm^{to}^{rs} and Assignes, one Eighth Part of the Purchase of Nesaquacke, being my Right in the said Purchase; In wittnesse where unto, I have sett my hand the 2^d March, Anno, 1658.

John Ogden.

Wittnesse
Samuell Clarke.
Jonas Wood.

Deeds
2: 118-119
(Sec. State)

This Deed was Entred for M^r Rich^d Smith
of Nesaquack, y^e 3^d Octobr 1665.

Easthampton July 14th 1659.

1659
July 14
1660
Apr. 6
1665
June
Recorded
1665
Oct. 3

Bee it knowne unto all men, both English and Indyans, especially the Inhabitants of Long Island, That I Wyandance, Sachem of Pamanack, with my wife and Sonne Wyankanbone, my onely Sonne and heire, having deliberately considered, how this Twenty foure yeares wee have been not onely acquainted with Lyon Gardiner, but from time to time have received much kindnesse of him, and from him not onely by Councell and advice, in our prosperity, but in Our great extreamity, when wee were almost Swallowed up of our Enemyes, then wee say hee appeared to us, not onely as a ffriend, but as a ffather, in giving us of his money and Goods, whereby wee defended ourselves, and ransomed my Daughter and ffriends, And wee say and know, that by his meanes, wee had great Comfort and reliefe, from the

most Hono^{ble} of the English Nation here about us, So that seing wee yet live, and both of us being now old, and not that wee at any time have given him any thing to gratify his Love, care and Charge, wee having nothing left that is worth his acceptance, but a Small Tract of Land, w^{ch} wee desire him to accept of for himselfe, his heires, Executors, and Assignes for ever; Now that it may bee knowne how, and where this Land lyeth on Long Island, Wee say it lyeth betweene Huntington and Seataucut, the westernne Bounds being Cowharbour, Easterly Acataamunk; and Southerly Crosse y^e Island to the end of y^e great hollow or valley or more then halfe through the Island, Southerly, and that this is our ffree Act and Deed, doth appeare by Our hand Markes under written, Signed, Sealed and delivered in the p^rsence of

Richard Smith Wyandance X his Marke
 Thomas Chatfield. Wyankanbone X his Marke
 Thomas Talmage. The Sachems wife X her Marke.

Deeds
 2: 118-119
 (Sec. State)
 1659
 July 14
 1660
 Apr. 6
 1665
 June
 Recorded
 1665
 Oct. 3

Moreover I wyankanbone wth my Mother do acknowledge to have sold to lyon Gardner above named, the next jacent Tract of Land Easterly, That is to say Nesequake River, and all the Land both Neck and Creekes, there unto belonging, and to ruⁿe paralel through the Island wth the other, and have re^cd so much for it, as wee demanded, to our full content, so that, that land from Cowharbo^r to Nesequake River wth the same River, belongeth to Lyon Gardner, his heires Executors, and Assignes for ever, this done by us this 6th of Aprill 1660, Wittnesse Our hands Markes & Seales, in y^e p^rnts of these, Wee say not onely the Land but all y^t doth, or shall naturally grow thereon.

Thomas Talmage Wyankanbone X his Marke
 Thomas Chatfield. The Marke of X his Mother
 Achemano X his Marke
 a wittnesse

Deeds
2:118-119
(Sec. State)
Cont. M^d This right of Lyon Gardiner, was Assign'd over by his
Son Dav: Gardiner, to Rich^d Smith of Nesaquanke, at
South Hold, on the [blank] day of June 1665.
Wittnesse Matth. Nicolls.

Deeds
2: 148
(Sec. State) Entred for M^r Richard Smith of Nesaquake,
this following Testimony the 28th of
September 1666.

1663
June 6
etc.
Recorded
1666
Sept. 28 Whereas the Indyans deny y^e Sale of the South Meadowes,
mentioned in the Bill of y^e Purchase of Nesaquack; These
are to wittnesse, That I Jeremy wood was p^rsent by the
Company, and Asaconsake sent an Indyan wth mee to him,
that was said to bee the owner of that Meadow, So hee came
downe wth us to Nesaquake, and there hee Agreed to referr
the Sale of those Necks of Meadow, to the Sagamore of
Nesaquake, called Asaconsake, and so did all the rest of
the Indyans; So wee Agreed wth Asaconsake for all their
Land at Nesaquake, and those Necks of Meadow, and paid
them for all, according to our Agreem^t, as is mentioned
in Our Bill of Purchase, June 6th 1663.

Jeremy Wood X his Marke.

Taken before mee, John Hicks

To the Truth of this above written, I can, and will Testify
if called there unto, wittnesse my hand

Daniell Whitehead.

Mashpath Kills the 13th
of August 1663.

Taken before mee upon Oath

Rich^d Betts R his Marke.

An Order of the Gen^{all} Cour[t] of Hartford, Deeds
2: 120
concerning Richard Smith of Nesaquanke (Sec. State)
on Long Island, Entred 3^d Mar. 1665.

These may Certify whom it may concerne, That the Committee Chosen by the Gen^{all} Court of Hertford, to Issue Matters on Long Island, It was then Ordered by the said Commission^{rs}, That Richard Smith shall part with some of his Land to Seatacott, And also to place Twenty ffamilyes in Smithfeild, the which Richard Smith Agreed unto upon this Condition, That John Scotts Land, on the west side of Nesaquanke River, shall helpe to accommodate the said 20 ffamilyes, which the said Commission^{rs} did Engage for Twenty five Pounds to bee paid by Richard Smith, on wards of John Scotts ffine, the which Land, Richard Smith had formerly Sold to John Scott for Twenty five pounds.

[1664
June]
Recorded
1665/6
Mar. 3

No date,
But said to be in June 1664.

Tho: Topping.
John Howell.
Richard Woodhull
John Young.

An Indyan Deed of a Parcell of Land to y^e Deeds
2: 121
westward of Nesaquanke, Entred y^e 22^d Mar. (Sec. State)
166⁵/₆

Mr Smiths Purchase.

Whereas Richard Smith of Smithfeild, hath bought all the Land betweene Huntington Harbour, and Nesaquanke River, of Lyon Gardiner, as may appeare by a Deed bearing date 63, Nasetteconsett, Sagamore of Nesaquank Complained to Commissioners of Hertford; at a Court held at Seatacott, in 64, That Richard Smith had taken away his Land, And

1665
May 4
Recorded
1665/6
Mar. 22

Deeds 2: 121
(Sec. State) did then owne, that hee had given Catawamuck, to Wyanduan-
ce, for the said Lyon Gardiners use, which was by M^r
Odiell and others, Bounded, as may by marked Trees
1665
May 4 appeare; But Nassetsconsett said, That the Land betweene
Recorded 1665/6
Mar. 22 those marked Trees and Nesaquank River, was his, The
Court advised mee to Buy the Land of him, in case hee had
not sold it before, where upon, I Rich^d Smith, went to speake
with y^e Sanck squaw, Shee did before many of East-Hampton
owne that Nesaquanke, Sagamore, did give Catawamuck to
her ffather, Long ago, and that hee Nasseteconsett, did give
the other part unto Nesaquank River, to her Brother Wagon-
combone; But finding nothing under his hand to Shew, and
Shee owning him to bee the true Proprieto^r at first, I thought
good to Buy the said Land of Nessateconsett, and have
Agreed with him for one Gunn, one Kettle, tenn Coates,
one Blankett, three hands of Powder, and three handfulls
of Lead; These are to Certify, that I Nessetesconsett, Saga-
more of Nesaquank, have for mee and my heires, Sold all
my Land on the west side of Nesaquank River, with all the
Benefitts and Priviledges of Land and water, unto Richard
Smith of Smithfield, and his Heires or Assignes for ever,
and have rec^d Pay for the same, to my Content; whereas
Catanumps, doth lay Clayme to halfe the aforesaid Land;
It is Agreed, That hee is to have two Coates more, and so
doth joyne wth Nassetsconsett in the Sale, And do both
Agree for us and Our Heires, to Maintaine the right of
Richard Smith and his Heires, for ever, in all the Land
aforesaid, reserving the Liberty of Matts, Canooes, and
Eagles and Deare Skinns, Catcht in the water, by Canooes,
is meant Indyan Built, that is to say, rack, this to my selfe
and heires, Wittness Our hands, & Seales May 4th 1665

The Marke of Nesatesconsett X
Catanumps his Marke, X

Wittnesse

Richard Woodhall.

Daniell Lane.

Marke

Quarter X Sachem

his

Tawaringo X his Marke.

Deeds
2: 121
(Sec. State)1665
May 4Recorded
1665/6
Mar. 22

Memorand. That y^e Land afore mentioned was Bought and part of the Pay delivered neare a yeare before the Signing hereof.

Huntington.

The Affirmacon of John Ketcham, Thomas Brush and Thomas Powell, being sent by the Inhabit^{ts} of Huntington, wth an Indyan called Chikeno, to the South Meadowes, according to the Order of the Generall Assembly at Hempstead; When wee came to the South to Our Meadowes, wee went over two Necks, to our Neighbo^{rs}, who had called Messapeage Indyan, about the Number of twenty, who opposed us about the space of an hour, and would not suffer the Indyan, to go and Shew us the marked Tree; Then wee Shewed the Sachem the writing, to which hee had sett his hand, which was our acquittance, and yet hee would not Suffer the Indyan to go; when wee see nothing would prevaile, wee tooke our leave of them, and said, wee should carry back this Answer, to them that sent us; But they not willing that wee should, tooke up the matter, as wee did apprehend, Spake to the Indyan, who after gave leave to the Indyan who was Chickino, to go and Shew us the Tree, many of Massapeague Indyan, went with us, Thomas Brush went before, and not taking notice of the Tree, went past it, then a Massapeague Indyan, called him back, and Shewed him the Tree, before Chickino came neare it, when

Deeds
2: 255
(Sec. State)[1665
Oct. 7]Recorded
1667
Nov. 2

Deeds 2:255
(Sec. State) Chickino came to the Tree, hee said that was the Tree hee marked, as his Master Commanded him; Messapeage Sachem said by his interpreto^r; that hee told Montauket Sachem, that hee was grieved at his heart, that hee had sold that Neck, upon which then wee was, but Montauket Sachem told him, that it was sold, and it could not bee hope, and therefore bid him go and receive his Pay, and so hee said hee did, And also Massapeague Sachem, owned his hand, and that hee had rec^d the Goods.

[1665
Oct. 7]
Recorded
1667
Nov. 2

7th October 1665.

Deeds 2:256
(Sec. State) Huntington.
The day and yeare abovesaid, Wee under Subscribed being in Huntington, where Chickino came and Justified the matter following, in rela^çon to y^e Reference or Order made at Hempsteeds Gen^{all} Meeting, touching three Necks of Meadow, which Huntington had formerly Purchased of Muntalcott Sachem, and the inferior true Proprieto^{rs}, as also in responention to Oyster Bay Inhabitants, who lay a Clayme to part of the said three Necks, saying they are foure Necks, and one whereof belongs to them. The said Chickino, now did plainly and clearly demonstrate before us, That the Tree hee first mark't, by his Master, Muntaulcott Sachems Order, and hath a Second time viewed according to Order, is no other but that which ought justly to bee owned by him, and so Marked as aforesaid, and comprehends onely Huntingtons just Purchase of three Necks of Meadow, and in truth, is three Necks of Meadow, and not foure, according to the p^rsent relation of Chickino.

1665
Oct. 7
Recorded
1667
Nov. 2

This is a true Copy of the affirma^çon
of Chickino, before Cap^t Topping
and M^r Wells.

An Order for the Indians to appeare at next Sessions to testify their knowled^d in^t Rich: Smith & y^e In^hitants of Huntington.

O. W. L.

2:311
(NYSL)

Whereas Richard Smith of Nesaquake hath obtained my speciall warrant to try his title at Lawe wth the Inhabitants of the Towne of Huntington concerning a certaine parcell of Land on the West side of Nesaquake Ryver; the w^{ch} he alleadges he cannot well do without the testimony of some Indians to be taken at the tryall, These are to require all such Indians as shall be timely su^moned by the said Richard Smith & are in a Condition to trauell that they make their personall appearance at the next Court of Sessions then & there to testify the truth of their knowledg in the matter or cause in difference betweene the said Richard Smith & the Inhabitants of the Towne of Huntington He the said Richard Smith giving them reasonable satisfaction for their trauell & paines in going to the Court & retorning home againe Giuen under my hand at Fort James in New Yorke this 10th day of December 1668.

1668
Dec. 10

[Francis Lovelace.]

An Ord^r for the Su^moning in persons at the next Co^rt of Sessions in the East Riding of Yorkshire to make proof of a title of Land for the In^hitants of Huntington.

O. W. L.

2:313
(NYSL)

Whereas Richard Smith of Nesaquake hath made suite unto me that he may haue a tryall at Law wth the Inhabitants of yo^r Towne concerning the title to a certaine parcell of Land lying to the west of Nesaquake Ryuer w^{ch} both yo^r & he lay Clayme unto, It being alleadged by him that the Controuersy betweene you hauing not hitherto beene decided he hath beene hindred from setling the families

1668
Dec. 10

O. W. L.
2: 313
(NYSL)

1668
Dec. 10

vpon his Plantation w^{ch} he is oblied unto, These are therefore to require you in his Ma^{ties} name to cause some person or persons to appeare at the next Court of Sessions to be held in the East Riding of Yorkshire vpon Long Island, then & there to make answer to the Complaint of the said Richard Smith & make proof of yo^r title to the Land in question Hereof yo^u are not to fayle Giuen und^r my hand & Seale at Fort James in New York this 10th day of December in the 20th yeare of his Ma^{ties} Raigne Anno^q Domini 1668. [Francis Lovelace.]

To the Constable & Ouerseers
of the Towne of Huntington.

O. W. L.
2: 328
(NYSL)

1668/9
Feb. 10

A Lre from y^e Governo^r to y^e
Inhabitants of Huntingtō

Loving ffreinds

I understand by M^r Isaack Platt who yo^u sent to me y^t yo^u are troubled at M^r Smiths su^moning of yo^u to trye yo^r title at Law to a certaine peice of land wthin yo^r lymitts, thinking y^t because yo^r lymitts are ascertained by Patent as no man may clayme any propriety wthin them w^{ch} to mee seemes strange for y^e extending your bounds furth^r then before doth not giue yo^u a greater propriety to y^e land then what yo^u had neith^r doth it take away anothers right, though wthin them In fine I thinke M^r Smith cannot be denyed a tryall at Law, w^{ch} will be y^e best touchstone to proue who hath y^e right, & if matters succeed not at y^e Sessions according to yo^r desire or expecta^{co}n y^e Law directs yo^u to y^e Assizes where I shall sitt myselfe wth y^e Justices of y^e Gouernm^t & be ready to do what shall be according to Law & good Conscience w^{ch} is all at p^rsent from

Yo^r Very Loving freind

ffeb^{ry} 10th 1668.

Fran Louelace.

A Licence to M^r Richard Smith to
examine Indyan Testimonies by
Com^{rs} in y^e Countrey.

O. W. L.
2: 396
(NYSL)

1669
Apr. 20

Whereas Richard Smith of Nesaquake hath appeal'd from y^e Verdict and Judgm^t of y^e Last Court of Sessions held at Southhold, relating to a Suite depending betweene him, and y^e Inhabitants of y^e Towne of Huntington to y^e next gen^l Court of Assizes and y^e said Richard Smith alleaging, that some of y^e Indyan residing neare oysterbay or thereabout, who can give their testimony to seth forth y^e truth of y^e matter in difference will scarcely bee induced to appeare at the Assizes, as also to prevent that encrease of charge, These are to authorize and appojnt You Robert Williams and John Cole of Oysterbay, hauing knowledge in their Indyan Lengauge, to bee Co^mission to take the Testimony, which shall bee given unto you by any such Indyan, of which you making a returne in writting attested under yo^r hand, itt shall bee admitted into evidence as if they should here make their appearance. Given under my hand at Fort James in New Yorke this 20th day of Aprill 1669.

[Francis Lovelace.]

A speciall warr^t for a hearing at the Assizes
Rich^d Smith p^t Huntington def^{ts}

O. W. L.
2: 397
(NYSL)¹

Whereas Richard Smith of Nesaquake in the East Riding of Yorke-Shire upon Long Isl^d hath preferr'd a petition unto mee for an appeale from y^e Verdict of y^e Jurey and Judgm^t of y^e Bench at y^e Last Court of Sessions held att Southhold about a certaine matter in difference betweene him

1669
Apr. 20

¹ This warrant is also entered in *Court of Assizes*, vol. 2, p. 203, with immaterial variations.

O. W. L.
2:397
(NYSL)

1669
Apr. 20

and y^e Towne of Huntington as to a tittle of Land, That y^e Cause may bee heard in Equity before mee at y^e Gen^{ll} Court of Assizes for the prosecution whereof hee hath given Security as in y^e Law is required, as also for paym^t of all charges and damages if hee shall bee cast in Suite. These are in his Ma^{ties} name to require you, or some of you on the behalfe of the rest of y^e Inhabitants of yo^r Towne, that you appeare att y^e next Gen^{ll} Court of Assizes to bee held in New Yorke, beginning on y^e first wednesday in Novemb^r being y^e 6th day of y^e said month, then and there to make answer to y^e bill of Complaint in Equity of y^e said Richard Smith, as to y^e tittle of y^e Land in difference betweene you as aforesaid. In y^e meane tyme all former proceeding hereupon to bee suspended, and no way to bee put in execution. And hereof you are not to fayle at yo^r perill. Given under my hand and Seale att Fort James in New Yorke this 20th day of Aprill in y^e 21th yeare of his Ma^{ties} Raigne Annoq^{ue} Domini 1669

[Francis Lovelace.]

To the Constable and
Overseers of Huntington
who are to make returne
of their execu^{cion} of this
Speciall warrant att y^e
Assizes.

Deeds
4:65
(Sec. State)

Another Deposi^{cion} of M^r Whitney
& Thomas Benedict.

1669
May 4
Recorded
1672
Sept. 19

The Testimony of Henry Whitney & Thomas Benedict both of Norwalk in the Jurisdiction of Conecticott, aged about fifty yeares saith, That they being formerly Inhabit^{ts} of Huntington doe know that all the Meadows betwixt Cow-Harbo^r & Nesaquake River wth the Herbage of the Vplands,

was bought of Rashaokan Sagamore of Matinicock, & paid for in their time; And further saith y^t Wyandance occasion- ally coming up to Huntington then Sagamore of Mantauckett was displeased wth Rashaokan for selling of that Land wthout his Consent, but the said Rashaokan humbling himselfe before Wyandance did according to our Vnderstanding forgive him for that fault; And confirmed the Purchase of Huntington Men, only charging y^e aforesaid Rashaokan, that hee should doe soe noe more. And further saith not.

Deeds
4:65
(Sec. State)

1669
May 4
(Recorded)
1672
Sept. 19

These Testimonies were taken before mee upon Oath;
Norwalke May y^e 4th 1669.

Rich^d Olmstead Commission^r

[Lovelace to the Constable and Overseers of Huntington.] O. W. L.
2:477
(NYSL)

Gentlemen

I haue perused yo^r petiçon consisting of three heads: In answer whereunto I doe, I doe thus farre comply with yo^r desires. At first that you may haue a Tryall at Co^mon Law before it come to a Court of Chancery. Although I suppose the Cause hath beene so tryed already at South^ton, yet I am willing it should by [*sic*] tryed at the Assizes by a Jury. Next that you may haue like liberty to Examine Indyans by a knowne Interpret^r as Richard Smith hath I doe consent to it and doe herewith send you an order for it. And lastly where you desire to bee informed, whether it bee necessary that yo^r wittnesses should bee personally pres^t, some being allready deposed in Co^{rt}. As to those allready deposed, these deposiçons will excuse their attendance however it would bee requisite you should haue one or two of yo^r most materiall witnesses pres^t for y^e better clearing yo^r tittle, I could haue wisht you had agreed the

1669
July 24

O. W. L.
2:477
(NYSL) matter amongst yo^rselues but since it will not bee, I cannot
deny any person the due Course of Law I am
Yo^r very Loving freind
[Francis Lovelace.]

1669
July 24

Fort James in New
Yorke this 24th
of July 1669

O. W. L.
2:478
(NYSL) Like Liberty graunted to y^e Inhitants of
Huntington as to Richard Smith.

1669
July 24

Whereas The Inhabitants of the Towne of Huntington
haue requested that they may haue like liberty as hath beene
given to Richard Smith of Nesaquake for y^e Examinaçon
of Indyans Testimonyes by known Interpreters in relaçon
of y^e Cleering of the truth concerning the Cause or matter
in difference betweene them and the said Richard Smith.
I doe hereby graunt their Request and any Examinaçon in
this Case taken by one or more knowne Interpret^{rs} and a
returne thereof made in writing under his hand or their,
shall bee admitted and taken in Evidence at y^e Tryall before
y^e Co^{rt} of Assizes Given under my hand at Fort James in
New Yorke this 24th day of July 1669.

[Francis Lovelace.]

C. A.
2:200
(NYSL)

1669
October

Appeales Actions Presentments &c — entred
for hearing & Tryall at y^e Gen^{rl} Court of
Assizes to be held in New Yorke beginning
on y^e first wednesday of October 1669.

wth drawne

2. Richard Smith p^{lt} } An appeale from
Inhabitants of Huntingto . . . def^{ts} } y^e Court of Sessions
at Southolde.

Graunted at Easthampton and }
 confirmed in New Yorke Aprill }
 y^e 19th 1669.¹ by speciall warrant }

C. A.
 2:200
 (NYSL)
 1669
 October

A warrant to y^e Inhabitants of Huntington
 to appeare at y^e next Assizes

C. A.
 2:548
 (NYSL)

Whereas There is a matter or Cause in controversy betweene Richard Smith of Nesaquake & y^e Inhabitants of y^e Towne of Huntington upon Long Island concerning a certaine peice or Tract of Land comonly called or knowne by y^e name of Nesaquake Acomsett unto w^{ch} each of them p^rtend a Right by purchase, Upon y^e Petition & request of Richard Smith, That y^e titles & Claymes on each parte may be heard decided & determined at y^e Gen^{rl} Co^{rt} of Assizes, These are in his Ma^{ties} name to require yo^u or some of yo^u on behalfe of yo^r Towne, That you appeare at this next Gen^{rl} Court of Assizes to be held in this Citty, beginning on y^e first wednesday in October, Then & there to make answer to y^e Complaint of y^e said Richard Smith & stand a Tryall as to y^e Title of y^e said Land in question In y^e meane tyme y^e leavying of all charges relating to this matter in difference not already collected is to be suspended untill y^e cause shall be decided, Hereof yo^u are not to fayle at yo^r perills Given und^r my hand & sealed wth y^e Seale of y^e Colony this 13th Day of June in y^e 22th yeare of his Ma^{ties} Raigne Annoq^{ue} Domini 1670

1670
 June 13

[Francis Lovelace.]

To y^e Constable & Overseers of
 Huntington to be Comunicated
 to y^e rest of y^e Inhabitants.

¹ The actual date, as shown by the warrant, was April 20, 1669.

C. A.
2:583
(NYSL)

A Declaration in ord^r to clearing
a doubt concerning y^e Land in
dispute betweene Richard Smith
of Nesaquake & y^e Inhabitants
of Huntington.

1670
Aug. 18

Whereas Richard Smith of Nesaquake hath obteyned my
speciall warrant for y^e hearing & determyning at y^e next
Court of Assizes a certaine matt^r in difference betweene him
& y^e Inhabitants of Huntington concerning a Title of Land
for y^e w^{ch} there hath already past a Tryall at South hampton
Sessions from y^e Judgm^t of w^{ch} Court he y^e said Richard
Smith did appeale, And there being an Objection made by
some of y^e Inhitants of Huntington that they doe suppose
y^e name of y^e Tract of Land in y^e Speciall warrant mençoned
being Nesaquake Acomsett doth not comprehend all y^e Land
in dispute betwixt them so may not end y^e difference These
p^rsents Doe Certifye & declare that notwithstanding y^e per-
ticuler name in y^e said warrant specified y^e matt^r in dif-
ference to be heard & determynd at y^e Assizes is for y^e
same Land for w^{ch} formerly a Tryall hath beene had & from
w^{ch} an Appeale was graunted of this both Pl^t & Def^{ts} are
to take notice and provide themselues accordingly. Given
und^r my hand at ffort James in New Yorke this 18th day of
August 1670. [Francis Lovelace.]

C. A.
2:239-251
(NYSL)

1670
October

At y^e Geñ^l Court of Assizes held in y^e City of New
Yorke beginning on y^e first Wednesday in October, being
y^e 5th day of the said Month, by his Ma^{ties} Authority in the
22th yeare of the Reigne of our Sovereigne Lord Charles
the 2^d by the Grace of God of England Scotland, ffrance,
& Ireland King, Defender of the ffaith &c: & in y^e yeare of
o^r Lord God 1670. //

Present

The Right Hon^{ble} y^e Governo^rThomas Delavall Esq^rM^r Cornelis Steenwijck Mayo^rM^r Matthias Nicolls Sec^r:C. A.
2: 239-251
(NYSL)} Of the
Councill1670
OctoberOf y^e North Rideing.— { M^r Robert Coe, High Sherriffe,
& one of the Justices of y^e Peace.Of y^e West Rideing. { M^r John Hicks
M^r Richard Cornhill
M^r Cornelis Van Ruijven
M^r James Hubbard
M^r Richard Betts } Justices of y^e
peace.

Afternoone.

Rich^d Smith — — P^tThe Inhabitants of } Def^{ts}
Huntington — }

The Def^{ts} desire to stand to y^e Verdict of the Jury at Southton, & refuse to give in Answer to any thing, but to y^e Appeale from the Judgment of that Court.¶

Hereupon all y^e Ord^{rs} from y^e Governour relating to this Cause were read.

The P^t having made Entry of 2 Actions against y^e Def^{ts}, & consequently putting in two Declaraçons, they were ordered both to bee putt into one; Soe a Tryall by a Jury to bee To Morrow Morning.¶

The Jury being returned by the High Sheriffe, They were Empannell'd & Sworne.¶

The Def^{ts} were order'd to give in their Answer to the P^{ts} Declaraçon by Eight of y^e Clock this Evening.¶

C. A.
2: 239-251
(NYSL)

Octob: 6. 1670. Before-Noone.//

1670
October

Rich ^d Smith -- P ^t	
The Inhabitants of Huntington.	} Def ^{ts}
Mr Rider & Mr Sharp.	} Attorneys for y ^e P ^t

Put in a large Declaraçon, both of those presented before, being put into one as was Ordered; although the Dispute was for two severall Tracts of Land.

The Names of the Jurors.

Elyas Doughty -- Foreman.	Gersham Moore
Symon Seryon.	William Noble
John ffoster	James Pine
Thom: Smith	John Smyth
Robert Terry	Samuel Smith
James Clements	W ^m Jeacocks.

The Deed from y^e great Sachem Wyandance & Wyamcombone his Sonn wth the Mother, to Lyon Gardner Dated July y^e 14th 1659. was produced and read.

As also another Conveyance from Wyamcombone & his Mother in the same Deed, Dated Anno 1660.

Vpon y^e same Deed David Gardn^r doth likewise convey his Interest to Richard Smyth the P^t in the yeare 1664.//

Another Deed of Conveyance was also brought in from Lyon Gardner to y^e P^t Dated Anno 1663.//

And withall a Deed from y^e Sachem Nassasconsett, & Catanumps of the yeare 1665.//

Richard Wood-hill & Daniel Lane being Wittnesses to the last Deed & sworne acknowledge their Hands.//

Severall Testimonyes were read to prove Nassasconsett to bee y^e Right Owner of that Land hee sold to y^e P^t. & that y^e said Rich^d Smyth was enjoyed by y^e Commission^{rs} of Hartford who were empowered by y^e Governour of Connecticut, under whose Governm^t that part of Long Island then held themselves to bee, that hee should purchase that Land againe of the Indiyans, although hee had bought it before of Lyon Gardner, to prevent all Disputes about it.¶

C. A.
2: 239-251
(NYSL)

1670
October

Severall Depositions read out of the Proceedings at the Court of Sessions at Southampton.¶

M^r James & Jeremiah Concklings Testimony upon their Examinacon of the Indiyans by the Governo^{rs} Commission.¶

Testimonyes given in attested by Robert Williams and John Cole, who were appointed Commissioners by the Governo^r to examine Indyan Testimonyes in this Case.¶

Another Indyan Testimony from Norwake attested by Richard Omstead [*sic*] Commission^r.¶

John Coles Testimony given in upon Oath.¶

Another Testimony taken before y^e Constable and Overseers of fflushing.¶

An Indyan Testimony taken by M^r Woodhill who swore to it before M^r Wells.¶

Another Indyan Testimony taken before Richard Olmstead Commission^r at Norwake.¶

An Indyan Testimony from an auncient Man sent by his Sonn.¶

An Indyan Testimony taken before M^r Lane.¶

A Deposicon of Obed Seward & another, taken before M^r Wells.¶

The Testimony of Wenox y^e Indyan taken before M^r Lane, & M^r Woodhull.¶

Another before M^r Lane.

Henry Perrings Deposition taken before M^r Lane.

C. A.
2:239-251
(NYSL)

1670
October

An Indyan commonly called M^r Goodyer his Testimony about the Def^{ts} tampering with the Indyan, taken before M^r Lane.//

M^r Woodhull & his Wives Testimony and Deposition about the Def^{ts} tampering with the Indyan.//

Tom y^e Indyan that lives wth M^r Brewster, hee gives Testimony to y^e same & somewhat farther.

An Indyan Testimony attested by Joseph Rayner & Richard Howell, Constable & Overseer of Southton.//

M^{rs} Sarah Brewst^{tr} Testimony about what shee had heard Indian Tom say concerning this Busyness.//

Severall other Testimonies from Indyanes were read, all conteyned in one sheet of paper & taken before M^r Lane.//

A Testimony from M^r James of East-Hampton.//

An Indyan Declaraçon p^rsented by some Indyan touching this Matter to y^e Governo^r by way of Petiçon; It was on y^e behalfe of y^e P^{ts}//

Governo^r Nicolls his Patent to y^e P^t was read in Court.//

After that y^e P^{ts} having noe more to say for the present, The Def^{ts} were ordered to putt in their Plea & Defence in the After-noone.//

The Constables who have noe particular Busyness from their Townes, are dismiss from giving any farther Attendance on the Court.//

Afternoone.

Richard Smith -- P^t

The Inhabitants of } Def^{ts}
Huntington --- }

M^r Anthony Waters Attorney for the Def^{ts} brings in an Answ^r to y^e P^{ts} Declaraçon which is read; The P^{ts} Attorneys object against it, that it was enlarged beyond the Copie

given in to them by the Courts Order the last Night; However it was warranted by y^e Court, & allowed of, soe they proceed to Tryall. #

C. A.
2:239-251
(NYSL)

1670
October

M^r Scudamore & }
M^r Holden — — } Attorneys also for y^e Def^{ts} #

& M^r Wood y^e Justice of the peace appeared likewise in Defence of the Townes Cause. #

A Petiçon was read from y^e Inhabitants of the Towne of Huntington to Governo^r Nicolls after they were overthrowne at the Court of Assizes by Cap^t Seely about Eatons Neck, with the Governo^{rs} Answer thereunto; promising they should bee noe further molested about their Land. # ¹

Huntington Patent read. Dated Novem: y^e 30th 1666. #

The P^{ts} Patent againe read. Dated Mar: y^e 3^d 1665: wherein y^e Conditions were taken Notice of. #

The Def^{ts} Indyan Deed read, Dated July y^e 31th 1656. It was made to them by the Indyan Sachem Asharocan; It hath noe Christian Wittness to it; and y^e Marks are all made with one Hand Writeing. #

A Deposition was produced & read of Henry Witney's & Thomas Benedicts in one, taken before Richard Olmstead Co^m^{rs}; It is about the Great Sachem Wyandances Confirmaçon. #

Daniel Whiteheads Deposiçon read, which saith, that y^e Indyan Sachem Nassasconsett had nothing to doe, nor had any Land on the West side of Nesaquake River. #

Joseph Whittmoores Deposiçon for the P^{ts} taken at Southton Court, (being urged by his Attorney) was read out of the Copies of Records of that Court. #

There were two Witnesses brought into Court, who were

¹The case of Robert Seely *versus* Richard Smith, referred to, was determined in the court of assizes, October 31, 1667.—*Court of Assizes*, vol. 2, pp. 124-128.

C. A. 2:239-251 (NYSL) said to be Wittnesses to the Indyan Deed aforemenconed of y^e Def^{ts} Dated in 1656. But it being shewn them, They say they know not y^e Paper, and that it was not the Paper they had put their hands to.//

1670
October

The Indyan saith his Name still is & was then Arumpas, but noe such Name is in the Deed.//

The P^t urging M^r Woodhulls Testimony taken at y^e Court at Southton, It was read out of a Copie of the Records of that Court.//

Joseph Smith of Jamaica being sworne in Court saith, That to the best of his Knowledge, hee being then an Inhabitant of y^e Towne of Huntington, was one that paid part of the Purchase Money to the Indyans for the Land in Dispute, and that what they bought was the Herbage and Meadow, but y^e Indyans reserved Liberty for Hunting, & as hee thought it was from Huntington Towne that their Purchase was to Nesaquake River, and that by vertue of that very Purchase the said Towne did enjoy Crabb Meadowes.//

M^r Banks of y^e Colony of Connecticott being in this Government, & sub-pœna'd to y^e Court, appearing Declared, That it is a Law in their Colony that noe private Person shall purchase Land to y^e p^rjudice of a Towne or Plantacon.//

Another Testimony in Writing was given in of M^r Benedicts, who had wth M^r Whitney given in one before.//

David Gardiner's Testimony given in by him at y^e Sessions Court at Southampton was read out of the Copey of y^e Records of that Court, of w^{ch} by some of y^e Bench much Notice was taken, for that it was against y^e P^{ts} Interest, who claimed by his ffather and him a great part of his Interest.//

Jeremiah Woods Testimony being taken by Order of the Court at his Lodging in this City by two Justices of the

peace, hee being sick there, & though sub-pœna'd could not appeare, It was deliver'd in Writeing attested by him as followes.— Viz^t //

C. A.
2:239-251
(NYSL)

The Affidavit of Jeremiah Wood &c: //
aged 55 yeares or thereabouts,
sworne & Examined Deposeth as
followeth. //

1670
October

That this Depon^t being one of the Purchasers of the Land in question (of the Nesaquake Sachem) the Agreem^t was made for all the Land, Meadow, & Vpland on y^e East side of Nesaquake River, betwixt Nesaquake River & the Eastermost Bay; And they the said Purchasers thinking that they had too little on the East side would have had some on the West side; whereupon the said Nesaquake Sachem told them that hee nor his Indyans had not any Right to any Lands there on the West side, only a small Neck of Land, conteyning about halfe a Mile from the said great River to the little Brooke; This Deponent further saith that M^r Smith coming to this Deponent to know the Bounds of the Land in question, This Deponent told him, the Indyans never owned any Land further then from the River to the little Brook Westward; Whereupon M^r Smith said, hee knew that well enough, that the Indyans neither did or could own any Land further; And this Deponent further saith, that Castannumps one of the Nesaquake Sachems Men told this Deponent, that the said Nesaquakes Right went noe further then the said little Brooke; And further saith not. //

The Charge being given to y^e Jury by the Governo^r & the extent & validity of the Patents both of P^t & Def^ts urged, after much Discourse and many Allegations pro & contrà on both sides, It was recommended to them to bring in their

C. A. Verdict, according to y^e Evidence given in, and the Lawes
2:239-251 of the Government.//
(NYSL)

1670
October

There were deliver'd to y^e ffore-man of the Jury a Bundle of Papers of the P^ts to the number of 31; Amongst w^{ch} the P^ts Patent, Declaraçon, & Exceptions to y^e Def^ts Answ^r, besides other loose Papers.//

More of the Def^ts their Patent, Answer, & severall other Papers & Testimonies.//

Soe the Court was dismisst till To-Morrow Morning.//

Octob^r 7th Before-noone.//

Rich^d Smyth --- P^t

The Inhabitants of } Def^ts
Huntington --- }

The Jury comeing to bring in their Verdict in this Action were call'd over, & by their fforeman give it in for the Def^ts with Costs of Suite, without other Circumstance leaving the Damage to y^e Consideraçon of the Court.

Whereupon the Court gave Judgment as followes — Viz^t—

The Court give Judgment according to the Verdict of the Jury for the Def^ts with this Condiçon, That as the P^t M^r Smith had been obliged to settle ten ffamilyes, if hee had made good his Title against the Def^ts y^e Inhabitants of the Towne of Huntington to y^e Land in Dispute, soe the Def^ts shall within the space of three yeares after the Date hereof, erect alike ten ffamilyes in Lieu of what y^e P^t was to doe upon the said Land, or else the Def^ts are to receive noe Benefitt of the Verdict of the Jury given in here at this time, nor of this Order and Judgment of Court.//

The P^t is to pay all Costs & Charges of Suite, but noe Damage in this Case.//

An Ord^r concerning Richard Smith of Nesa-
quake & y^e Inhabitants of Huntington.¹

C. A.
2:618
(NYSL)

Whereas Richard Smith of Nesaquake hath preferred a Petition unto me & my Councell desiring an Explination of y^e Judgm^t of y^e late Court of Assizes in y^e matter in difference betweene him & y^e Towne of Huntington, as to y^e Title of a Certaine peice of Land, Upon Consideration had hereupon by my selfe & Councell, These are to Declare that it was not y^e Intent of y^e Court to giue away M^r Smiths right in any parte of Nesaquake lands whereof he was possest, & upon w^{ch} he was to settle y^e first Ten familyes, but that oth^r p^{te} for w^{ch} he was cast upon y^e w^{ch} he was to put Ten familyes more to make up y^e former number Twenty; if he had made good his Title thereto & carryed y^e Cause, y^e w^{ch} y^e Towne of Huntington having had y^e Verdict of a Jurye are by Judgm^t of Court now ordered to doe in his stead, & to y^e end that a right understanding may be had hereupon there shall speedy inquiry be made what properly is y^e Extent of y^e Land belonging both to y^e One partye &

1670
Dec. 3

¹ There is a variant of this text recorded in *Court of Assizes*, vol. 2, p. 637 which is presented here for comparison, viz.: —

“ An Explanation of y^e Judgm^t of y^e Jury
betweene Richard Smith & y^e Towne of
Huntington.

Whereas Richard Smith of Nesaquake hath p^rferred a Petition unto me & my Councell desireing an Explanation of y^e Judgm^t of y^e late Court of Assizes in y^e matter in difference betweene him & y^e Towne of Huntington as to matter of Title to a certaine peice of Land, Upon consideration had hereupon I haue thought fitt to declare that it was not y^e intent of y^e Court to give away M^r Smiths right in any parte of Nesaquake Lands whereof he was possest, and was to settle y^e first familyes thereupon, but that other parte upon w^{ch} he was to put Ten familyes more to make up y^e former Twenty, if he had made good his Title thereto & carryed y^e Cause y^e w^{ch} y^e Towne of Huntington are now to do in his stead, And to y^e end that no future Cavill or difference may arise concerning y^e Same there shall good & speedy inquiry be made what properly is y^e Land belonging both to y^e one partye & y^e other, Given und^r my hand this 3^d day of December 1670.”

C. A.
2: 618
(NYSL)

1670
Dec. 3

y^e Othe^r according to y^e true intent and meaning of y^e Court,
so that their Lymitts be justly ascertained. Given und^r my
hand at ffort James in New Yorke this 3^d Day of December
1670. [Francis Lovelace.]

C. A.
2: 633
(NYSL)

[1670/1]
Jan. 9

A Lre to y^e Inhabitants of Huntington
Gentlemen

Here haue beene wth y^e Governo^r M^r Isaack Plott & M^r
Thomas Powell from yo^r Towne about yo^r bill of Charges &
other matters relating to yo^r Suite wth Richard Smith, As
to y^e latter it's much admired they came not to yo^r hands
before your neighbours came away, Two Severall Copies
haue beene sent, & amongst y^e rest wth y^e Last y^e bill of
Charges as farre as y^e Lawe directs, where no Damage is
given, w^{ch} indeed is Very little considering yo^r farr greater
charge & trouble, But yo^u may Expect some oth^r allowance
y^e w^{ch} cannot at p^rsent be certifyed unto yo^u but y^e Gover-
nour and his Councell intend to take it into their furth^r
consideration & send yo^u their result by y^e next oppertunitye,
I am

Yo^r Very Loving freind

M. Nicholls

C. A.
2: 708
(NYSL)

1671
June 3

An Ord^r about Rich^d Smyth of Nesaquake,
& y^e Iñbitants [*sic*] of Huntington.

Whereas since y^e Tryall at y^e last Court of Assizes between
Richard Smyth of Nesaquake & y^e Inhabitants of Hunting-
ton I issued forth an Order beareing Date y^e 3^d day of Decem-
ber wherein was intimated that to putt a period to all further
Disputes & Controversyes upon that Occasion, a strict
Enquiry should be made of y^e certaine Bounds & Lymitts

of y^e Land pperly belonging both to y^e one party & y^e other, soe that y^e same might be ascertainned, as also how farr y^e Extent of Nesaquake Lands did reach as well on y^e West as y^e East side of y^e River on w^{ch} y^e first Ten ffamilyes were to be settled, y^e w^{ch} y^e said Rich^d Smyth was in quiet & peaceable Possession of, when hee obtained his Patent from y^e late Governo^r my Predecesso^r; All w^{ch} in some Measure hath been Endeavoured to be Effected by y^e best Enquiry could hitherto be made; To y^e end a more full Discovery may be had thereof, & that I y^e better may be satisfyed therein, when I shall heare both Partyes; These are to Order & Appoint that from y^e Towne of Huntington one or two persons be Nominated to attend mee here in this City upon Wednesday y^e 12th day of July next; And also at the same time & place one or two Persons doe likewise give their Attendance from Rich^d Smyth to declare & sett forth their true Bounds, soe that I may give a just and finall Determina-
cion thereupon. Given under my Hand at fforte James in New Yorke the 3^d day of June. 1671. #

C. A.
2:708
(NYSL)

1671
June 3

[Francis Lovelace.]

An Ord^r about y^e Towne of
Huntington, & Rich^d Smyth
of Nesaquake &c:

G. E.
4:4
(NYSL)

At a Councell held at fforte James in New Yorke y^e 12th day of July. 1671.

1671
July 12

Whereas an Ord^r was issued forth bearing Date y^e 3^d day of June last, that some person or persons should this day appeare before mee both on y^e behalfe of the Towne of Huntington, & also of Rich^d Smyth of Nesaquake, of w^{ch} timely notice was given to both ptyes, And y^e Towne of

G. E.
4:4
(NYSL) Huntington haveing neglected to give their Attendance, y^e
1671
July 12. w^{ch} M^{rs} Smyth for & on y^e behalfe of her Husband, & M^r
Rider as Attorney did performe; These p^rsents doe Order
y^t y^e neglect on y^e one side, & y^e appearance on the other be
Recorded, and that the Case in difference for y^e present be
suspended, till further Satisfaction be receiv'd concerning
y^e same.

[Francis Lovelace.]

Col. MSS.
22: 119
(NYSL)

To the right Honn^{tbl} ffranci[s] Lovelace Esq^r
& Govern^r of all his Roya[l] Highnes
Territoryes in Americah.

1671
Sept. 6

The petition of
Rich: Smythe

Humbly sheweth to yo^r Honn^r that wheras the Town off
Huntington clameth the sole p^rpriety of all the land between
Cowharbour & Neesaguank river (wth all the benifitts
therof) by vertue of 2 verdits (lately) passed as they say.
Your Pettic^{nr} humbly conceaves this to bee an over-rigorous
Construction & inconsistant wth righteousness [&] the
established law. & therfore humbly requests yo^r Honn^r to
gra[n]t him the Libe[r]ty of an appea[l] to the Court of
[Assizes] [*remainder mutilated and lost*]¹

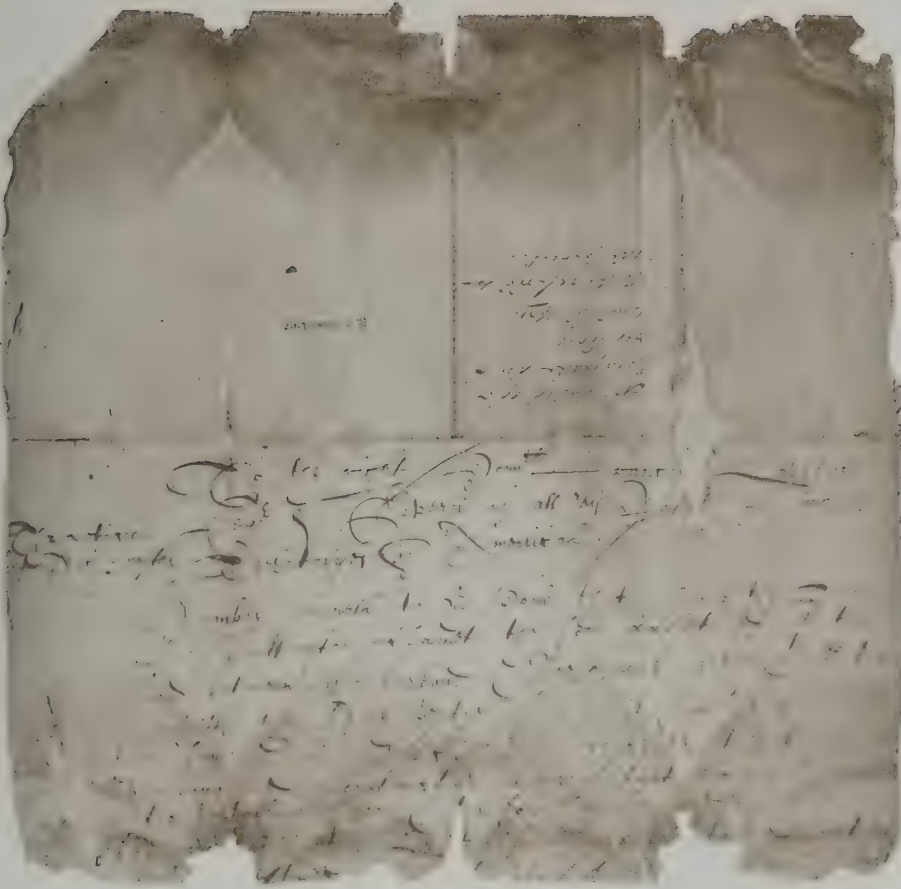
Endorsed:

M^r Smith of
Nesaquake his
petiçon.

Sept^r 6. 1671.

To bee referr'd to
the Councill.

¹ Apparently only the salutation and signature are lost



PETITION TO RICHARD SMITH, FOUNDER
OF SMITHTOWN, L. I.

To Governor Lovelace, September 6, 1671
on his Boundary Dispute with the
Town of Huntington.

(Reduced from 11½ by 11¼ inches.)

Septemb^r y^e Depositions Recorded for M^r Rich[ard] Deeds
19th 1672. Smyth of Nesaquake. Sep: 19th 1672. (Sec. State) 4:63

The Testimony of Thomas Benedict.

1671
Sept. 11

This may Certify any whom it may concerne, that as touching the Difference between M^r Richard Smyth of Nesaquake, & the Inhabitants of y^e Towne of Huntington, if any Testimony shall appeare to bee given in by mee & my Name, touching that Controversy, wherein it shall bee said After the Land was sold to Huntington Men between Cow-Harbo^r & Nesaquake River, it is to bee understood That I meane by Land, Meadow only; ffor I never understood after I came to live at Huntington any Vpland bought within that Tract, but herbage only, as their Bill of Sale declares; As wittness my Hand.

Recorded
1672
Sept. 19

Thomas Benedict.

This I doe Declare, that there may bee noe Mistake, for although I respect my Neighbo^{rs} of Huntington; yet I would not say any thing to prejudice M^r Smyth, & therefore I would have all Men know, that this is my true Meaning in that Saying.

Henry Whitney giveth his Testimony in the same Manner & fforme as above-written.

Taken Oath before mee. Septemb^r 11th 1671.

Richard Olmstead

Vera Copia.

Commission^r

At a Geñ^{all} Court of Assizes held in the City of New Yorke by his Mā^{ties} Authority beginning on the first Wednesday in October (being the 4th day of the said Month) in the 23th yeare of his Ma^{ties} Reigne, viz: our Soveraigne

C. A.
2: 261-2,
281, 282,
284-5
(NYSL)
1671
October

C. A. Lord Charles y^e second by the Grace of God of England,
 2: 261-2, Scotland, ffrance, & Ireland King Defend^r of y^e ffaith &c:
 281, 282,
 284-5
 (NYSL) Annoq Domini 1671.

1671
 October Present

The R^t Hon^{ble} y^e Governo^r

Thomas Delavall Esq^r

M^r Cornelis Steenwijck

M^r Matthias Nicolls Sec^r

} Of y^e Councell. #

M^r John Laurence

M^r Isaack Bedloo

} Aldermen of this City. #

Cap^t John Manning High sheriffe.

Thomas Lovelace Esq^s.

M^r Cornelis Van Ruijven

M^r James Hubbard

M^r Richard Betts

} Justices of y^e Peace
 of y^e West Riding. #

M^r Robert Coe

M^r John Hicks

M^r Rich^d Cornhill

} Justices of y^e Peace
 of y^e North Riding. #

M^r William Wells

M^r John Mulford.

} Justices of y^e peace
 of the East Riding.

After Opening y^e Court the Bench was first call'd over,
 then y^e Constables, after that all the Causes. #

* * * * *

Oct: 7th Beforenoone.

Severall Petiçons were taken into Consideraçon. * * *

Afternoone. #

* * * * *

The Petition of Rich^d Smith of Nesaquake, & another
 from the Inhabitants of Huntington being taken into Con-

sideraçon, the first desiring some Commission^{rs} may bee appointed to view the Bounds of Nesaquake Land; The other declaring their Dissent to settle y^e ten ffamilyes &c:—

C. A.
2:261-2,
281, 282
284-5
(NYSL)

The following Ord^{rs} were made
thereupon — — Viz^t —

1671
October

The Petiçon of Rich^d Smith of Nesaquake being taken into Consideraçon, wherein hee desires some persons may bee appointed wthin the space of six weeks to enquire into & view y^e Western Bounds of the Land coṃonly called Nesaquake Land between him & y^e Inhabitants of Huntington, where the Petiçoner was to settle his first ten ffamilyes, & to make Reporte thereof to the Governo^r; The Court have thought fitt to grant his Request, & doe Order, That three or five indifferent Persons of good Judgment & Vnderstanding shall bee nominated & appointed to doe the same within the time aforemençoned, soe that a finall Determinaçon & Issue bee had upon the Matter in Difference; The Denominaçon of the Persons to bee referred to the Governo^r //

By Ord^r &c:—

The Petiçon of y^e Inhabitants of Huntington directed to this Court being taken into Consideraçon, more particularly as to that part thereof, wherein they seem to suggest or take for granted that the Settlem^t of y^e ten ffamilyes upon the Land w^{ch} they recovered from Richard Smith of Nesaquake (the w^{ch} hee was obliged to doe by his Patent if hee had gained the Suite) was an Injunction laid upon them, w^{ch} they conceive is intollerable; The Court is soe well satisfied of what was then done, the w^{ch} was freely consented unto by the Persons of that Towne then present, who informed the Court they had full power to Act on the behalfe of the rest, That they finde noe reason to alter their Judgment then given, but doe Order the same fully to bee putt in Execu-

C. A.
2: 261-2,
281, 282
284-5
(NYSL)

1671
October

tion, upon y^e penalty & Condiçons therein exprest. As to their Bill of Charges relating to Richard Smith, the Governour & Councell will take it into further Consideraçon, & make some Order thereupon consonant to Justice, & the Course & practice directed in the Lawes of this Governm^t

By Ord^r &c:

G. E.
4: 103
(NYSL)

Lre from y^e Governo^r to [Constable and Overseers of Huntington] desireing them to send back Coppyes of y^e Deposiçons of Thomas Benedict & Hen: Wittney to bee recorded.

1671/2
Feb. 26

Gen^t:

I am given to understand, That after yo^r Tryall at the Assizes wth yo^r Neighbo^r M^r Smyth, some of those employ'd by yo^r Towne, called at y^e Secretaries Office for y^e Papers given in by them in Cō^{rt} & had them deliver'd, they being in haste, of which either by y^e neglect or Multiplicity of y^e Clarkes Busyness, some were not Recorded; Amongst w^{ch} y^e Depositions of Thomas Benedict & Henry Wittney were two; To y^e End, That y^e Records may bee kept in good Order, & that Nothing materiall past at a Publique Tryall may bee omitted, but remaine there to bee perused upon Occasion by any who shall desire y^e same, I shall recommend it to you, That you deliver Authentick Copyes of those two Deposiçons of Benedict & Wittney, or send the Originalls by Cap^t Manning either at his goeing or returning from y^e Sessions, to bee transmitted to y^e Secretaries Office here. Yo^r Compliance herein is expected from

Yo^r Very Loving Friend

Fran: Loulace.

Forte James in New
Yorke. ffeb^{ry} 26. 1671.

Lett^r to M^r Wood, to send back y^e Deposiçons of
Whitney, & Benedict. &c. to bee Recorded.

G. E.
4:154
(NYSL)

M^r Wood.

It was thought yo^u would have minded yo^r Promise to
send up to y^e Secretary those two Testimonyes or Depo-
sitions of Henry Whittney, & Thomas Benedict given in at
y^e Co^rt of Assizes, w^{ch} it seems in haste were omitted to bee
Recorded by y^e Clarke, the w^{ch} I writt to yo^u about before, I
thought good to Advertize you of it once more, that yo^r
compliance in sending y^e Originalls or Authentique Coppyes
of those Deposiçons very speedily is expected by

1672
June 27

Yo^r very Loving Friend
Fr: Louelace.

Forte James in N: Y.
y^e 27th June. 1672.

[Deposition of Elias Doughty and others.]

Deeds
4:64
(Sec. State)

Wee under-written to y^e best of our Remembrance Declare,
That Whitney & Benedict testified that Huntington Men
bought y^e Land, Herbage, & Meadow of the Indiyans from
Cow-Harbo^r to Nesaquake River, w^{ch} was y^e chiefest Cause
that cast the Case betwixt the Towne of Huntington, & M^r
Richard Smyth

1672
Aug. 17
Recorded
1672
Sept. 19

Aug: 17. 1672

Elyas Doughty
Robert Terry
James Clement
John ffoster
Renthom Moore
W^m Noble
Simon Saving.¹

¹ Evidently Simon Seryon

Deeds
4:64
(Sec. State)

[Depositions of Benedict and Whitney.]

1672
Sept. 11
Recorded
1672
Sept. 19

These may certify whom it concerneth, that I Thomas Benedict of Norwalk being desired by M^r Smyth of Nesaquake to give answer to an Inquiry whether I would stand to y^e Explanaçon of my first Testimony concerning the Word (Land) as there explained, or whither I would own y^e Testimony on y^e other side of this Paper, my Answer is that I doe stick both to my first Testimony, & y^e Explicaçon given under Oath; And that if any other Testimony hath been produced & made use of by Huntington Men that agreeth not with that, given under Oath wth y^e Explication I gave to M^r Smyth, I doe utterly disown the same. Wittness my Hand Septemb^r 11th 1672.

Thomas Benedict

Wittness Thomas Hanford
Rich^d Olmstead
John Platt.

I Henry Whitney of Norwalk doe fully & firmly consent to y^e Premisses above-written. Wittness my Hand Sept: 11th 1672. the mark of X Henry Whitn[ey]

Deeds
4:65
(Sec. State)

[Deposition of Nath. Gold.]

1672
Sept. 13
Recorded
1672
Sept 19

These may certify any whom it doth or may Concerne that M^r Richard Smyth earnestly desired, Thomas Benedict to take Oath to y^e Premisses, but hee refused, saving hee had sworne often enough in the Case already.

Wittness my Hand.

Nath: Gold. Assistant.

Farfield. [*sic*] this 13th Septemb^r
1672.

[Deposition of Richard Olmstead.]

Deeds
4:65
(Sec. State)

Henry Whitney being desired to give Oath to y^e above said Writing, gives the same Answ^r that Thomas Benedict did, It being desired by M^r Richard Smyth.—Wittness my Hand.

Norwalke Septemb^r 16th 1672.

Richard Olmstead
Commission^r

1672
Sept. 16
Recorded
1672
Sept. 19

At a Geñ^{all} Co^{rt} of Assizes held in the City of New Yorke by his Mā^{ties} Authority beginning on y^e first Wednesday in October (being y^e second day of the said Month, & ending the Monday following being y^e 7th day) in y^e 24th yeare of the Reigne of our Sovereigne Lord Charles y^e 2^d by the Grace of God of England, Scotland, France, and Ireland King, Defender of the faith &c: Annoq̄ Dom: 1672.

C. A.
2:293-4,
303, 304,
310-1
(NYSL)
1672
October

Present

His Hono^r the Governo^r

M^r Matthias Nicolls,

Mayo^r of y^e City of N: Yorke }

ab:— M^r Thom: Delavall

M^r Cornelis Steenwijck

ab:— Cap^t Thom: Willett

Cap^t Jn^o Manning — — High Sheriffe

Thom: Lovelace Esq^r

M^r Cornelis Van Ruijven

M^r James Hubbard

M^r Rich^d Betts

M^r Robert Coe

M^r Rich^d Cornhill.

} Of y^e Councill.

} Justices of y^e peace
of y^e West Riding.

} Justices of the
Peace of the North
Riding.

Friday Octob: 4th 1672.C. A.
2: 293-4,
303, 304,
310-1
(NYSL)

* * * * *

Afternoone.

1672
October

* * * * *

Rich^d Smyth of } P^{rt}
Nesaquake... }The Inhabit^{ts} of } Def^{ts}
Huntington... }

Vpon y^e Petiçon of Rich^d Smith of Nesaquake to y^e Govern^r, wherein hee alledges that at y^e Tryall had in this Co^{rt} of Assizes held Anno 1670. severall false Evidences were produced at the Tryall by y^e Inhabit^{ts} of Huntington, whereby y^e Co^{rt} & Jury were mislead; The same being debated in Councell & referr'd to this Co^{rt} to give their Judgment & Opinion, whether upon y^e Grounds afore-specified as well as y^e Reasons & Suggestions to bee brought in there were sufficient Cause of a Rehearing or Review of the Action; The Matter being taken into Consideraçon, It is adjudged & Ordered, That if the said Richard Smith can upon the first Thursday in Decemb^r next, when a Speciall Court is to bee held here in this City prevaile wth Thomas Benedict and Henry Whitney of Norwalk in his M^aties Colony of Conecticott to appeare at y^e said Court in person, or cause sufficient Evidences then to bee produced to clear the Matter in difference, (concerning w^{ch} their Testimonyes are said to bee soe materiall) or can detect any fraud or foule practice in the said Inhabit^{ts} of Huntington w^{ch} was the Occasion of their carrying the Suite, That then a Rehearing of the Case betweene the said Rich^d Smith & the Inhabitants of Hunting-

C. A. ton shall bee had, when y^e Co^{rt}. will give such further Deter-
 2:293-4 minaçon therein as will bee consonant to Law & good
 303, 304, Conscience.
 310-1
 (NYSL)

1672
 October

By Ord^r &c:

C. A. At a Speciall Co^{rt} of Assizes held in New Yorke by his
 2:331-2, Mā^{ties} Authority, beginning on y^e first Thursday in Decem-
 335:7 ber, (being the 5th day of the said Month) & ending y^e 7th
 (NYSL) day following, in y^e 24th yeare of his Mā^{ties} Reigne Annoq^{ue}
 1672
 December Domini 1672.

Present —

His Hono ^r y ^e Governo ^r	
Cap ^t Thomas Delavall	
Cap ^t Cornelis Steenwijck	} Of y ^e Councell.
Mr Matthias Nicolls —	
Mr Jn ^o Laurence —	Mayo ^r of this City.
Cap ^t Jn ^o Manning.	High-Sheriffe.
Thom: Lovelace Esq ^r —	
Mr Cornelis Van Ruijven	} Justices of y ^e peace of the West Riding
Cap ^t James Hubbard	
Mr Rich ^d Betts. — —	
Mr Robert Coe	} Justices of y ^e North Riding.
Mr Rich ^d Cornell — —	

Thursday — Decem: 5th — Beforenoone.

* * * * *

Rich^d Smith — — P^t
 The Inhabit^{ts} of } Def^{ts}
 Huntington — }

The Accusaçon against Benedict and Whitney discourst
 of, which not being made appeare, they having justified

themselves in person, is pleaded in Barr to their having a
New Hearing.

The Co^{rt} adjourne untill Afternoone.

Afternoone.

C. A.
2:331-2,
335-7
(NYSL)

1672
December

M^r Smiths Busynesse againe brought into Consideraçon.

M^r Rider putts in a Paper, distinguishing Nesaquake
Land from Catawamuck.¶

It's not allowed of by y^e Governo^r, none appearing for the
Def^ts.¶

The Governo^r & Councells Explanaçon of y^e Verdict of
the Jury read.¶

M^r Smith offers to prove Jeremy Woods Testimony to bee
false; whereupon y^e Co^{rt} enter upon much Discourse
about it.

Ben[e]dict & Whitney's Testimonies (soe much insisted
upon) read, & Land in Geñ^{all} mençoned therein to bee
confirmed by Wyandance y^e great Sachem.

Another of y^e same persons not mentioning Land, only
Herbage & Meadow.

The Ord^{rs} from y^e Governo^r & Councell read about
ascertaining Nesaquake Lands, & that the Co^{rt} did not
intend by their Judgm^t to take away any part of Nesaquake
Land of Right belonging to M^r Smyth.

Thomas Benedicts Explanaçon of his former Testimony,
disclayming any Land to bee purchased by Huntington,
only Meadow & Herbage.¶

Joseph Smith of Jamaica declared before M^r Coe, that hee
had noe Intent to give in Testimony in this Case, but gave
Evidence for Huntington Men that they had purchased
Meadow, Herbage, and Land to Nesaquake River, for that
hee apprehended Whitney & Benedict had spoken soe much
as might bring them to Reproach in testifying about Land,

C. A.
2:331-2,
335-7
(NYSL)

1672
December

but that hee did never know absolutely any more then
Herbage & Meadow to belong unto them of Huntington.

To bee considered of by y^e Bench, whether to bee heard
in Equity or noe.—

After mature Deliberaçon was had thereupon by y^e Court,
this following Order was made — — viz^t—

Rich^d Smith — — P^{tt}

The Inhabitants of } Def^{ts}
Huntington — — }

This Case being taken into Consideraçon, and fully
debated in Court; wherein the P^{tt} desired to bee heard in
Equity for that part of Nesaquake Land on the West side of
the River, w^{ch} hee alledges to bee part of the Land on w^{ch} hee
was obliged to settle the first ten ffamilyes, although now
Claymed by the Def^{ts}, by vertue of the Verdicts they obtained
at Common Law against the P^{tt} for other Land as hee con-
ceives, It is Ordered, That for y^e present Respite shall bee
made of any Proceeding in this matter, untill the Spring, when
some time in the Month of May next his Hono^r y^e Governour
intends to have a Geñ^{all} Trayning, & a Meeting of the two
Troops of Horse at the East end of Hempstead Playnes,
from whence some indifferent persons from y^e East end of
Long Island, who will bee there, & some others from the
West end, shall bee appointed to goe & view the said Land
called Nesaquake Land on the West side of the River, & to
make enquiry thereinto, in the best manner they can, & if
possible make a Conclusion therein between y^e P^{tt} & Def^{ts},
w^{ch} if it cannot bee attain'd unto, that then the P^{tt} shall
have Liberty to preferr his Bill in Equity against the Def^{ts}
at the next Geñ^{all} Co^{rt} of Assizes, as to that Land called
Nesaquake Land, where a definitive Determinaçon shall
bee made thereupon according to Law & good Conscience. //

By Ord^r &c:

No. XXVI.

CLAIMS OF JOHANNES DE DECKER — NEGROES,
SALARY, LAND AT STATEN ISLAND.

The Determination of M^r de Deckers
Case, by y^e Governo^r & Councill.

C. A.
2: 635¹
(NYSL)

Whereas M^r John de Decker heretofore one of y^e Councill
to y^e Government of the New Netherlands und^r y^e West
India Companye before y^e Reduction of theise ~~parts~~ und^r his
Mat^{ies} obedience having obteyned a referrence from His
Royall Highnesse upon a Petition p^rsented unto him recom-
ending it unto me to Examyne into y^e truth of y^e Allegations
therein conteyned & to do him right thereupon according to
y^e Articles of Surrender or y^e usuall Course of Justice here.
Upon Serious Consultation had wth my Councill haveing
likewise called y^e Bench of Mayo^r & Aldermen of this Citty
to my Assistance for their Advice where y^e whole Case was
Examyned into & debated wth good deliberation, It was
unanimously agreed upon & consented unto that y^e Sugges-
tions in M^r de Deckers Petition touching y^e 10. Negroes
w^{ch} he saith were taken away from him was misrepresented
to his R. H^{ss} for that it doth not appeare that he was possesst
of more then Tenne of y^e Twentye he layes clayme unto,
w^{ch} Ten he disposed of at his pleasure, & that those
Negroes seized upon by M^r Delavall by order from Gen^{rl}
Nicolls were taken as y^e effects of y^e West India Companye

1670/1
Jan. 9

¹ The pagination 635 is part of a modern continuous numeration for convenience. The original pagination of this volume runs in two series, and p. 635 of the continuous numeration is also p. 287 of one series of original pagination. The Council minute refers to the above order as "Entred at large in y^e 3d Booke of Entryes (of Dayly Orders) Pag: 287, to wch to referr."

C. A.
2:635
(NYSL)

1670/1
Jan. 9

& not as belonging to M^r Decker, for y^e w^{ch} Gen^l Nicolls stands charged Debto^r to y^e West India Companye, & hath given credit to his R H^{ss} for them in his Account, And M^r Decker no way named therein, And as to y^e oth^r p^rtences of y^e said M^r John de Decker concerning his Sallarye due from y^e Said Companye, It is found in y^e Said bookes that there did remaine due to him y^e Sum^e of 7349 ^{Gld^r} 14st 04^d out of w^{ch} he is to discount for 8. of y^e Negroes he receiued & carryed wth him to St^t Christophers besides what more y^e said Companye hath to Charge him wth y^e w^{ch} not standing in y^e books here there can no Cognizance be taken thereof, neith^r can M^r de Decker properly Expect to be satisfyed his sallarye here, although there were effects over & above his p^rtences undisposed of, for that his Account was made up, & closed in their books, & he referr'd for payment wth y^e rest of their Councill to y^e West India Companye in Holland.

This being y^e true Estate of y^e Case as by y^e strictest Examination & best inquirye it can be found, It is humbly referr'd back to his R. H^{ss} for his furth^r consideration & determination as he in his prudence & wisdom shall thinke fitt. Given under my hand at ffort James in New Yorke this 9th day of Januuary in y^e 22th yeare of his Ma^{ties} Raigne Annoq³ Dñi 1670. [Francis Lovelace.]

C. A.
2:634
(NYSL)

1670/1
Jan. 9

The Governo^{rs} graunt of 120. Acres of Land to M^r de Decker on Statten Island

Whereas M^r John de Decker heretofore one of y^e Councill to y^e Government of y^e New Netherlands und^r y^e West India companye before y^e reduction of theise partes to his Ma^{ties} Obedience hath p^rsented unto me a Petition That he may be Invested in a certaine peice of Land upon Staten Island conteyning about 60. margen or 120. Acres for y^e w^{ch} he

hath a Patent or Ground breife bearing date y^e 15th day of May 1664 w^{ch} was some months before the Surrender of y^e place, In regard of y^e paines and trouble y^e said M^r John de Decker hath beene at in takeing a Voyage out of Europe hither about this & oth^r his Concernes I haue wth y^e Advice of my Councell thought fitt to gratifye him herein although according to y^e Strictnesse of y^e Lawes & y^e Custome of y^e Country his right thereunto is Elapsed Always provided that y^e Pretences to y^e said Land by M^r de Decker or his Assignes do no wayes p^rjudice y^e Towne already settled, nor y^e oth^r Towne ordered to be layd out upon y^e said Island, The w^{ch} if it shall so happen to bee Then that there shall be allotted unto him y^e like quantitie of Land to be laid out in Some oth^r convenient place by my ord^r for y^e w^{ch} he shall haue a New Pattent, & that he be obliedged to settle or plant upon y^e Same wth in y^e Space of one yeare aft^r y^e date hereof. Given und^r my hand at ffort James in New Yorke this 9th day of Jannuarye in y^e 22th yeare of his Ma^{ties} Raigne Anno^q Dñi 1670. [Francis Lovelace.]

C. A.
2:634
(NYSL)1670/1
Jan. 9

No. XXVII.

STATEN ISLAND — LAND OF JACOB MELYN.

June y^e 4th 1668.

Upon y^e Petition & request of M^r Jacob Molline that his fathers interest may be taken into considera^çon upon y^e Settlem^t of Staten Island, The Governo^r ordered it to be entred upon Record that Care shall then be had of him so farre as that he shall be allowed a Convenient propor^çon

C. A.
2:527
(NYSL)1668
June 4

C. A. of Land upon y^e said Island in lieu of what was reserved
2: 527
(NYSL) by his fath^r & promised him by y^e west India Company.

1668
June 4 Extracted out of y^e Records in y^e Office at ffort James in
New Yorke

M. Nicolls Sec^r.

No. XXVIII.

BROOKHAVEN (SEATALCOTT) — LAND AFFAIRS
AND WHALING.

Deeds
2: 183
(Sec. State)

[Indian Deeds to Brookhaven.]

Mar: 7th
1666.

An Indyan Deed Entred for the
Towne of Brookehaven.

1655
Apr. 4
Recorded
1666/7
Mar. 7

Articles of Agreement, & a firme bargaine agreed & confirmed betweene the Sachem of Seatalcott Warawakin by name, with the joint consent of himselfe & next of his kindred, have bargain'd & sold unto John Scudder, John Swesie, Jonathan Porter & Thomas Mabbs, A parcell or Tract of land wth all Meadowes, vpland, timber trees or whatsoever benefitt or priviledges thereunto belonging, next adjoining to the bounds of Nesaquake, & from thence being bounded with a River Eastward, & bounded next unto Nesaquake bounds (as by trees being mark't doth appeare: Also the Sachem with the Consent of his next kindred hath giuen free leaue & liberty, & graunted unto the said purchas^{rs} free liberty for their Cattle to runne beyond the bounds if occasion bee, or to cutt Timber as farre East as they thinke fitt: And to come once in two yeares to renew the markes of the bounds, & to giue the s^d purchas^{rs}

for them or who they shall putt to liue there, full, free & quiet possession of the s^d purchase &c: And if the Indyans shall wrong the s^d English, either by their Dogges hurting of their Cattle, or any otherwayes, that then y^e Sachem shall see that satisfaction bee made according to the wrong done; So also if the English do any wrong to the s^d Indyans, that the English shall make them satisfaction: Also the said Sachem shall not entertaine any strange Indyans or others neare unto vs whereby to doe vs any wrong but shall timely discover vnto vs any plotting or hurt that shall bee intended against us: And y^e like shall wee doe unto him, To the end that peace may bee maintained amongst vs: And for & in consideraçon of the said Tract or purchase of land, Wee the said purchas^{rs} doe hereby engage o^r selues to pay unto the s^d Sachem the Goods as in particular are written following within one moneth followeing the date hereof; And for the confirmaçon of the same haue sett my hand with y^e rest of my kindred. Dated this 4th day of Aprill 1655

Deeds
2: 183
(Sec. State)

1655
Apr. 4

Recorded
1666/7
Mar. 7

Here was underwritten.

10 Coates.	The markes of Warawakin
12 Hoes.	& of thirteene more of
12 Hatchets.	his kindred.
50 Muxes.	
100 Needles.	
6 Kettles.	
10 ffathom of Wampom.	
7 Yests of powder.	
1 paire of childs stockings.	
10 pound of Lead.	
1 Douzen of kniues.	

Wittnesses hereunto

George Tonge

The marke of

John X Cosby.

Deeds Mar: 8th
 2: 185
 (Sec. State) 1666

Entred for Brookhauen.

[n. d.]
 Recorded
 1666/7
 Mar. 8

This writing wittneseth That I Wyandance Sagamore of Long Island doe promise to sell the great Neck to the Inhabitants of Setaulcott upon the deliury of the Goods hereunder mentioned, viz^t Six Coates, six Kettles, one brasse Gunne, one Troopers Coate, Tenn kniues, one paire of Shoes, Two pound of powder, two pound of lead, twenty Muxes forty Needles.

Deliuered him in part of paym^t }
 for the purchase aboves^d one paire }
 of Shoes.

Memorandum The name of the Neck aboues^d is
 Cataconocke.

Mar. 8th
 1666.

Entred for Brookehaven.

This writing wittneseth That I Wyandance doe by these pres^{ts} make over all my Right & Interest in the Old ffield vnto the Inhabitants of Setaulcott for them & their heyres for ever, And doe engage my selfe & heyres to maintaine & defend their Right against all that shall hereafter disturb them. As wittnesse my hand

Wittnesse: George Southerne
 The marke of Chiconoe
 & another Indyan called
 Osasara Tacckcoe.

The marke of
 Wyandance.
 And another Indyans
 marke called Mahew

Mar: 8th
1666.

Recorded for Brookehaven.

Deeds
2: 186
(Sec. State)

Brookehaven 1664: June y^e 10th.

This Indenture wittnesseth a bargaine or agreement betweene the Sachem of Vncachage, Tabacus & the Inhabitants of Brookehauen aſs Seatauke concerning a parcell or tract of Land lyeing vpon the Southside of Long Island being bounded on the South with the Great Baye, & on the west with a fresh Pond adjoining to a place coſmonly called Acombamock, & on the East with a River called Yamphanke, & on the North it extends to the midle of the Island; Provided the afores^d Tabacus have sufficient planting land for those that are the true native Proprietors & their heyres, Also that either & both Parties haue free liberty for fishing, fowling, & hunting without molestaſon of either Party, And this is in consideraſon of a certaine ſum of money to bee paid to the valuation of fifty fathom of Wampom As witnesse my hand the date & day abovewritten:

1664
June 10
and
1664/5
Mar. 9
Recorded
1666/7
Mar. 8

The Marke of
Tabacus.

Signed, sealed & deliuered
in the presence of vs.
Richard Howell
John Cooper.

March the 9th 1664.

The Contents of this Deed abouewritten owned by Tabacus Vncachage Sachem & the Subscription thereof, in the presence of vs.

ffurther the said Sachem disowned that ever hee sold John Scott any Land.

John Howell
John Younge.

Deeds Mar: 8th
 2: 187
 (Sec. State) 1666.

Recorded for Brookehaven.

1664
 June 10

Recorded
 1666/7
 Mar. 8

Mahew Sachem of Setauke doth freely give and surrender unto the Co^mitte^e of Conecticott appointed for settling of buisnesse on Long Island, for the vse of the Towne of Setauke, the feede & Timber of all the lands from the old mans, to the wadeing Riuer, As wittnesse my hand this 10th of June. 1664

The marke of
 Mahew.

Testes.

John Cooper.
 Richard Howell.

Masseteuse & the Sunke Squaw Natives Proprieto^{rs} & owners of all the Lands belonging to the Tract of Land co^monly called the old Mans doe freely & absolutely sell & will defend the Title to the Inhabitants of Setauke & their Successo^{rs} for ever, for & in considera^on of a certaine value of Goods here under written, to bee deliuered within one moneth after the date hereof: As wittnesse our hands this 10th of June: 1664.

The markes of
 Massetewse &
 The Sunke Squaw.

Signed in the prescence
 of vs:

John Cooper
 Richard: Howell.

ffoure Coates.
 ffoure paire of Stockings.
 Two Yests of powder.
 Two barres of Lead.
 Six Hoes.

Ten Hatchetts. &
 Ten Knives.
 More Six Coates.
 ffoure shirts
 Three peck Kettles.

This abovewritten owned, & the contents thereof wth all the severall kinds of pay receiued, (Excepting the Kettles, Hoes & Hatchetts,) by Mahew & Massetewse.

Deeds

2: 187

1664
June 10

In the prescence of vs.

John Howell.

John Young.

Recorded

1666/7

Mar. 8

An Ord^r Concerning the Whales
wthin Sea-Talkett bounds.

O. W. L.

2: 205

(NYSL)

Whereas The Inhabitants of the Towne of Seatalcott (a^{ls} Brookhauen) are invested in a certaine Tract of Land by vertue of their Pattent wherein their bounds are ascertained & confirmed to be from the North to the South sea, wth seuerall priuiledges therein exprest, Howeuer the said Inhabitants haue made their Comp^{it} vnto me that some oth^r persons not belonging to the said Towne of Seatalcott wthout their leaue or Consent doe p^rtend a Priuiledg vpon the Beach lying to the South & wthin their bounds aforesaid, & haue actually cutt vp & carryed away some partes of a whale or great Fish contrary to the Priuiledges of the said Towne vpon p^rtence of an Agreement made wth some Vnquechanke Indians These p^rsents serve for a furth^r explana^{co}n of the said Pattent That by vertue thereof the Inhabitants of the Towne of Seatalcott (alias Brookhauen) aforesaid & no oth^r wthout their Consent, shall or may cutt or carry away any whales or Great Fish w^{ch} are or hereafter may be cast vpon any parte of the Land or Beach wthin the bounds & lymitts of the said Pattent therein expresly sett forth to be given & graunted Giuen und^r my hand at Fort James in New Yorke the First day of Aprill 1668.

1668

Apr. 1

[R. Nicolls.]

O. W. L.
2:263
(NYSL)

An Order heretofore graunted to the Towne of Seatauckett about the whales at the South suspended vpon the Petición of Joseph Rayner &c.

1668
Oct. 12

Whereas Joseph Rayner Richard Howell and Anthony Waters haue made complaint unto me that by misinformaçon yo^u did the last yeare obteyne an order from the late Governo^r for the enioym^t of a certaine pcell of Beach to the South supposed to be wthin the lymitts of yo^r Pattent but formerly purchased by the Comp^ts or some one of them & a valuable Consideraçon giuen for the whales that should be cast up thereupon for the space of a certaine terme of yeares not yet expired These are therefore at p^rsent to suspend the benefitt of the order yo^u did soe obtaine & to require yo^u to permitt & suffer the Comp^ts to enioy what they haue purchased untill yo^u can make a better right appeare the including of the lymitts & bounds thereof in yo^r Patent notwithstanding Giuen und^r my hand & Seale at Fort James in New Yorke this 12th day of Octob^r in the 20th yeare of his Ma^{ties} Raigne Annoq^{ue} Dñi 1668.

[Francis Lovelace.]

O. W. L.
2:317
(NYSL)

A Letter from the Gouverno^r to y^e Constable & Ouerseers of Seatalcott. Dec^r 15. 1668

Loving freinds

1668
Dec. 15

I haue rec^d an Adresse from yo^u by the hands of M^r Woodhull & M^r Dayton full of dutifull & kind expressions w^{ch} I take very well at yo^r hands & hope yo^r expectation shall not be frustrated as to my Endeauo^{rs} in the Encouragem^t of all good people & dispensaçon of Impartiall Justice

throughout the Gouvernmt his R. Highnes hath intrusted me wthall: The persons yo^u sent did also make a Complaint against Joseph Rayner & Richard Howell as if they had surprized yo^u by obtaining an order from me about the Whales cast vpon the beach to the South of the Island wthin yo^r p^rcincts, w^{ch} yo^u had a former order to injoy from my p^rdecessor: I doe thinke it conuenient to respite my iudgm^t therein untill the beginning of March next when I doe intend (God willing) to goe downe to the East End of the Island & shall then heare what both yo^u & they haue to say to the matter & accordingly will giue my Judgm^t thereupon In the meane tyme if any Whales shall be cast vp You or they who first haue notice may take care to p^rserue them & where the right shall be adiudged those who shall take them without a good title shall bee accountable to the other for them I haue no more but to reco^mend yo^u to Gods protection & rest

O. W. L
2:317
(NYSL)

1668
Dec. 15

Yo^r assured Loving freind
Fran: Louelace

To the Constable & Ouerseers
of Seatalcott a^{ls} Brookhauen.
Dec^r 15. 1668.

Liberty Graunted for Severall p^{er}sons of
y^e Towne of Seatalcott to purchase
one hundred Acres a peice there.

C. A.
2:629
(NYSL)

Whereas I haue Rec^d a Petition from Severall p^{er}sons of y^e Towne of Brookhauen a^{ls} Seatalcott being in numb^r Eleaven whose names are hereaft^r wrytten that they may haue libertye to make purchase of a certaine Peice of Land to y^e South wthin y^e Lymitts & bounds of their Pattent y^e w^{ch} hath not as yett beene bought of y^e Indian Proprietors, y^e said persons

1670/1
Jan. 12

C. A.
2:629
(NYSL)

1670/1
Jan. 12

alleadging their p^rsent want of Accommodation for their Stocks & proposing to plant & settle thereupon It being a place where likewise they can y^e better prosecute y^e designe of Whale fishing, These are to certifie all whome it may concerne that for an Encouragem^t to planting as also of y^e Whale fishing designe, I do hereby graunt unto y^e said persons Lycence to purchase at y^e place aforesaid each of them y^e quantitie of one hundred Acres of Land woodland & meadowe togeth^r as it shall happen to fall out, y^e w^{ch} when they shall haue accomplished & make retorne thereof unto me I shall giue them a furth^r Assurance for y^e same. Alwayes provided that this shall no wayes debarre y^e rest of y^e Towne from their Co^monage in y^e woods or meadow ground already laid out for each Lott at y^e South, y^e w^{ch} by Vertue of this Graunt is no way to be encroacht^r upon. Given und^r my hand & Seale at ffort James in New Yorke this 12th day of Jannuary in y^e 22th yeare of his Ma^{ties} Raigne Annoq^{ue} Dñi 1670.

[Francis Lovelace.]

C. A.
2:631
(NYSL)

The Governo^{rs} graunt to M^r Daniell Lane & M^r Richard Woodhull for a farme at y^e Wading Ryver.

1670/1
Jan. 12

These are to Certifie all whome it may Concerne that this day y^e Governo^r hath given a graunt unto M^r Daniell Lane & M^r Richard Woodhull of Seatalcott, for to haue each of them a farme at y^e Wading Ryver but thinks fitt to respite their Lycence of Purchase & Pattent untill he shall bee Satisfyed of y^e quantitie & qualitey of y^e meadow there. This I was ordered to enter upon y^e Records, Dated at New Yorke this 12th day of January 1670.

[M. Nicolls, Secr.]

No. XXIX.

SOUTHAMPTON — CONFIRMATION OF LAND,
SALE OF STRONG DRINK TO INDIANS,
WHALING, ETC.

A Licence to John Laughton to sell some poud^r & liquo^r to y^e Indyans. O. W. L.
2:440
(NYSL)

Whereas John Laughton of Southampton hath requested my licence that hee may dispose of or sell some small quantity of liq^{rs} and powder to the Indyans there that they may bee the more helpfull to him in the wheale fisshing wherein hee is a partner and in Clerring some grounds for him. These are to Certifye all whome it may concerne that I haue given licence to the said John Laughton to make Sale or paym^t for worke to the said Indyans upon the accoumpt afores^d in liq^{rs} and Powder prouided the quantity of Liq^{rs} bee not aboute 3 ancors nor powder more then 30th And that it no way tend to the breach of the Lawes or disturbance of y^e Publick peace this licence is to Continue for one yeare after y^e date hereof and no longer. Given under my hand at Fort James in New Yorke this 19th day of June 1669.
Fr. L.

1669
June 19

An Order confirming severall former ord^{rs} made concerning John Cooper & oth^{rs} engaged in y^e trade of whale catching. C. A.
2:622
(NYSL)

Whereas there haue beene lately made at Southampton by y^e Comission^{rs} for y^e Indian affaires in y^e East Ryding of 1670
Dec. 29

C. A.
2:622
(NYSL)

1670
Dec. 29

Yorkshire upon Long Island severall orders Dated y^e 6th 7th & 8th Days of Decemb^r last, Two whereof doe more particularly relate to John Cooper of Southampton, & y^e third both to himselfe & others engaged in y^e designe of whale fishing who do imploye Severall Indians thereabouts for their Assistance therein Upon mature Deliberation & consultation had hereupon, I doe wth y^e Advice of my Councell approve of & confirme what y^e Com^{rs} aforementioned haue done in their said orders, & do likewise recomend that Clause in y^e Ord^r of y^e 8th of Decemb^r concerning what shall be given to y^e Indians for their Service in that imploye to be punctually observed as long as it shall be found convenient & practicable, but wthall if it shall prove otherwise & that other agreements are committed to be made wth y^e Indians for their worke by any Person or Company I doe hereby graunt & allowe That John Cooper aforementioned who is said to be one of y^e first that brought y^e Indians to be serviceable in that designe haue for his encouragem^t altogeth^r as much libertye to make his Conditions wth y^e Indians for their Service as any oth^r Person or companye shall p^rsume to take, & if he hath alreadye made any Agreement wth any of y^e Indians upon this Account for any particular Season or tyme p^rcedent to what hath beene made wth them by others, y^e first agreement is to stand good & if y^e Indians so agreed wth, do refuse to make good their engagem^t they are not to be committed to worke wth any others untill they haue forfourmed y^e same. Given und^r my hand at ffort James in New Yorke this 29th day of Decemb^r in y^e 22th yeare of his Ma^{ties} Raigne Anno^o Dñi 1670.

[Francis Lovelace.]

A Commission for y^e Indian named
Quaquashawg to be Sachem.

C. A.
2: 623
(NYSL)

Francis Louelace Esq^r &c Whereas It hath beene usuall
& is found very convenient that some Person amongst y^e
Indians should in their respectiue Tribes or Nations be as
cheife or Sachem over y^e rest as well to keep them in y^e
bett^r order as to be responsible for any mischeife they should
happen to comitt, & y^e Indians neare Southampton in y^e
East Ryding of Yorkshire upon Long Island comonly called
y^e Shinnacock Indians being destitute of such a Person having
nominated & elected y^e Indian named *Quaquashawge* to be
their Sachem who is likewise approved of by y^e English to be
a fitt person amongst them for that purpose by reason of his
quiett and peaceable disposition, I haue thought fitt to
confirme & appoint y^e said Indian *Quaquashawg* to be
Sachem over y^e Shinnacock Indians of y^e w^{ch} they are all
to take notice & obey him as their cheife & Sachem. Always
provided that he nor y^e rest of his Indians doe not hereby
p^rsume to transgresse such orders & rules as are appointed
for them to observe by y^e Com^{rs} of y^e Indian affayres in
those parts, but that he Applye himselfe to keep his Indians
in peaceable & good ord^r both amongst themselues & also
amongst their neighbours. Given und^r my hand & Sealed
wth y^e Seale of y^e Province at ffort James in New Yorke this
2^d day of January in y^e 22th yeare of his Ma^{ties} Raigne
Annoq^{ue} Dñi 1670.

1670/1
Jan. 2

[Francis Lovelace.]

Recorded by Ord^r of
y^e Governo^r

Anoth^r Com^{on} for a Sachem at Easthampton
wth a blanke to put in a name.

C. A.
2: 625
(NYSL)

A Comission graunted to y^e Indian named
Cawbutt to be Constable over y^e Shinnac-
cock Indians.

1670/1
Jan. 4

Whereas it hath beene proposed unto me that for y^e bett^r keeping of y^e Indians in good order it would be requisite that one amongst them should be nominated and appointed as Constable, & that he may haue a Staffe wth y^e Kings Armes thereon by y^e Reputation whereof y^e rest of y^e Indians may be kept in a more quiett & peaceable condiçon And having beene sued to for a Confirmation of a Sachem over y^e Indians neare Southampton comonly called y^e Shinnacock Indians y^e w^{ch} accordingly I haue graunted, I do also hereby allow of y^e Indian called *Cawbutt* who is recomended to be a person of a peaceable temper to be Constable amongst y^e said Shinnacock Indians, & that he haue a Constables staffe as is desired, He is by vertue of his office to keep his fellow Indians in good order & to suffer no violence or abuses to be offer'd amongst them by Excesse of Drinke or otherwise, & wthall to obey his Sachem, & to observe y^e Rules & orders appointed by y^e Com^{rs} for y^e Indian affaires there for y^e doing whereof this shall be his warrant. Given under my hand at ffort James in New Yorke this 4th day of January in y^e 22th yeare of his Ma^{ties} Raigne Annoq^{ue} Dñi 1670.

[Francis Lovelace.]

Recorded by order of
y^e Governo^r

Anoth^r warr^t for a Constable at
Easthampton wth a blanke.

An Ord^r prohibiting y^e selling of
Stronge Liquors to y^e Indians. C. A.
2:626
(NYSL)

Whereas Severall Complaints haue beene made unto me from y^e Townes in y^e East Ryding of Yorkshire upon Long Island of divers abuses comitted by y^e Indians amongst themselues & sometymes amongst Christians occasioned by their inordinate & Excessive drinking of Strong Liquors whereof bloodshed hath often ensued, & frequently great danger of murther to be comitted, And there being likewise oth^r Complaints that y^e Indians doe $\text{\textcircled{P}}$ fourme outward worship to y^e Devill by Powowing in or neare y^e Townes y^e w^{ch} is contrary to y^e Lawes Establish't in theise his R. H^{ss} Territoryes & dominions, These are to require all officers of Townes or others whome this may Concerne that they Cause y^e Lawes prohibiting y^e abuse of selling Liquor to y^e Indians to be put in Execution & that y^e best course be taken to restraints these Exorbitances they are thereby subject unto, & also that y^e Indians be not suffered to Powow, but y^e Laws in that Case be also followed, with this Provisoe that such $\text{\textcircled{P}}$ sons who Imploy Indians in their whaling designe may haue libertye to giue them Encouragem^t by affording them some small quantites of Stronge Liquor for their releife & that it be done wth Such moderation that no disord^r or abuse do come thereby; Likewise that y^e Indian Sachems of Shinnacock & Meantaukett haue some priviledge more then ordinary Concerning y^e Receiving or disposall of y^e like Small quantites of Liquors to such Indians as they thinke deserve well of them. Given und^r my hand at ffort James in New Yorke in y^e 22th yeare of his Maties Raigne Anno^q Dñi 1670.

1670/1
[Jan. 4]

[Francis Lovelace.]

C. A.
2:627
(NYSL)

The Governo^{rs} Lre to M^r John Mulford,
M^r Thomas James & M^r Jeremiah
Conckling at East Hampton.

Gen^l.

1670/1
Jan. 5

The Governo^r hath received yo^r Lre by y^e hands of M^r Cooper, wherein yo^u intimate what conclusion yo^u haue made wth y^e Indians for whome yo^u were Suretyes to y^e Com^{rs}. He hath also ~~ph~~used y^e Copy of yo^r Indian Deed for a ~~ph~~cell of Land made over to yo^u in satisfaction for what yo^u haue disbursed for them, for w^{ch} deed yo^u desire his Hono^{rs} Confirmation & that it may be Recorded;

The Governo^r having advised wth his Councill upon this & other matters from yo^r parts hath beene pleased to giue me ord^r to retorne yo^u an Answer, that he is well satisfyed wth y^e Conclusion yo^u haue made wth y^e Indians & also that I should take a Copy of yo^r Deed to haue it Recorded, but desires since there are Com^{rs} wth yo^u appointed for y^e Indian Affaires that they should certifie unto him y^e nature & Extent of y^e Land made over to yo^u by y^e said Indians wth an Attestation of their free consent thereunto that hereaft^r they may haue no Cause of Complaint that they haue beene Constrained to parte wth their Land against their Will, Not that there is y^e least distrust of yo^r integritye in this or any other matters, but yo^u being y^e persons cheifly concerned it will be more regular to haue a Certificate about y^e same from y^e oth^r Com^{rs} no way related thereunto then from yo^r selves, y^e w^{ch} being done yo^u may haue what furth^r Confirmation is requisite. ffor oth^r matters wherein yo^u left a lattitude for M^r Cooper to Act as about restraint of selling Liquors to y^e Indians & such oth^r matt^{rs} he hath y^e Severall ord^{rs} thereupon, & will acquaint yo^u what y^e Governo^r hath done therein.

His Hono^r intends to Answer M^r Mulfords L^re, & what
M^r James adds at y^e latt^r of yours more p^articularly, So I
conclude leaving yo^u to the Protection of y^e Almighty &
remaine

C. A.
2: 627
(NYSL)
1670/1
Jan. 5

Yo^r Very humble Serv^t

Matthias Nicolls ¹

New Yorke

Jan^{ry} 5th 1670.

An Ord^r concerning y^e
Shinnacock Indians.

C. A.
2: 630
(NYSL)

Whereas I haue thought fitt to graunt & order Severall
matters relating to y^e Indians of Shinnacock & Montaukett
as also concerning those imployed in y^e whale fishing, &
y^e abuse of selling stronge Liquors to y^e Indians & their
Powowing all w^{ch} graunts & orders are Sent by y^e hands of
M^r John Cooper of Southton These are to require yo^u
upon sight thereof that yo^u forthwth cause y^e Same to be
publish^t in y^e Severall Townes of Southampton & East-
hampton & partes adjacent, & for what relates to y^e Indians
that yo^u desire M^r James & M^r Stanton or some oth^{rs} well
acquainted wth y^e Indian Language to interprett those
matters unto them & likewise acquaint them with my
pleasure herein, & for so doeing this shall be yo^r warrant.
Given und^r my hand at ffort James in New Yorke this 5th
day of January 1670.

1670/1
Jan. 5

[Francis Lovelace.]

To M^r John Jennings —

Marshall of y^e East Ryding.

¹ Written by Nicolls as secretary for Governor Lovelace.

C. A.
2: 646
(NYSL)

The Com^{rs} appointed for y^e Indian affaires at y^e East end of Long Island, ordered to giue an Acc^t to y^e Governo^r concerning some of y^e In^hitants of Easthampton.

1670/1
Feb. 8

Whereas M^r John Mulford M^r Thomas James & Jeremiah Conckling of Easthampton did request my confirmation of y^e Sale of a certaine ¶cell of Land by some of y^e Montaukett Indians unto them to w^{ch} end they desired y^e said deed might be Recorded in y^e Office of Records here according to Lawe, y^e w^{ch} I thought good to suspend untill I should receiue some further satisfaction therein from y^e Com^{rs} appointed for y^e Indian affaires at y^e East end of Long Island, And there being since that a Caveat desired to be entred by M^r Thomas Backer on behalfe of y^e Majo^r parte of y^e Towne of East hampton against y^e said Deed of Sale as being contrary to a former order & agreement made in y^e tyme of my Predecessor Coth Richard Nicolls, & may prove a great p^rjudice to y^e rest of y^e Townes if they should be debarr'd of their Co^monage there, These are to ord^r & appoint the Commission^{rs} for y^e Indian affaires aforesaid to take y^e p^rmisses into their Serious considerations & haueing carefully Examyned into y^e Same that they giue me Account thereof so that I may proceed thereupon according to Justice & good Conscience. Given und^r my hand at ffort James in New Yorke this 8th day of ffebruary in y^e 23th yeare of his Ma^{ties} Raigne Annoq^{ue} Dñi 1670.

[Francis Lovelace.]

To y^e Com^{rs} for y^e Indian
affaires at y^e East end of
Long Island.

The Governo^{rs} Lre to M^r Mulford.C. A.
2:647
(NYSL)M^r Mulford

I Rec^d yo^r Lre of 21th of December, & I hope I haue taken such a Course (by M^r Cooper) as may satisfye yo^r just complaint touching y^e Exorbitance of y^e Indians, & truely if you reflect but on y^e power I haue invested you togeth^r wth y^e rest of y^e Com^{rs} for y^e Indian affaires, yo^u will then conclude, that I should rath^r expect to heare of y^e Indians conformitye to yo^r orders, as to dispose them to a better temper of life then to heare any Complaint of yours to y^e contrary since I haue invested yo^u wth power sufficient to Exact an obedience from them, but I hope all things are now to your satisfaction as to that perticuler.

1670/1
Feb. 9

I was since solicited by M^r Topping in an affaire that I thought I had likewise taken care for, concerning y^e Two Indians that M^r Cooper p^tended to apperteyne to him by precontracts, I must confesse (though as you may well imagine) I was much in y^e darke and so likewise y^e rest of my Councill, as to an affaire of this distance, yett my care was so circumspect as not to lessen y^e former authoritye I had invested you & y^e Com^{rs} wth, that I resolved to referre y^e matter wholly to your consideration & to extend that Justice as yo^u conceived most effectuall. The businesse therefore as then so now lyes before yo^u to determyne, to w^{ch} Mr. Topping chearfully Submitts, & therefore I recomend it wholly to yo^u, The occasion as is alleadged of M^r Topping's taking this paines of a Journey hith^r, was that y^e ord^r whereby y^e Com^{rs} were desired to decide y^e difference betweene him & Cooper was not product, w^{ch} so soone as he p^oused y^e Record of it, he see'md to be so satisfied wth it, that he never would haue taken so fruitlesse a Journey had he had but a sight of it there To w^{ch} direction & order I haue still referr'd, & therefore Expedite y^e difference as speedily as may be.

C. A.
2:647
(NYSL)

1670/1
Feb. 9

Whils't I was dispatching him to his satisfaction I receiued anoth^r L^re from yo^u of y^e first of ffebruary 1670, wherein you seemed to Complaine as if yo^u feared you might be misrepresented to me by M^r John Topping (& likewise for w^{ch} I am indebted to your freindship) that I was traduc't by him, as if I had graunted out an Execution before both partyes were heard, T'is true yo^u apprehended it rightly when it was so answer'd that that was false, for yo^u know my order was not in y^e nature of an imediate Execution, but wth a reservation to y^e determination of y^e Councell for y^e Indian affaires to w^{ch} I still referre him, chusing rath^r to incurre y^e censure of a remissnesse, then in that where I cannot make a cleare demonstration (by my determination) an injustice to eith^r partye, & therefore left y^e whole affaire as I found it to yo^u who being on y^e place had better oppertunityes to discover y^e subtiltyes of it, then I with all my assistance could do, having now declared so much I can add no more to this perticuler, but it lyeing before yo^u that yo^u prosecute y^e Scope of that order M^r Cooper brought to you, & to determyne as (I am confident yo^u will) with Equity & Justice.

I haue likewise sent yo^u my resolution concerning yours & M^r James purchase of y^e Indian land but in regard it has mett with fresh oppositions from your Towne, I desire that matter may be a little Suspended till I haue y^e oppertunitye (God willing) to visitt those parts & then I doubt not but to compose all affaires so as shall be to mutuall satisfaction, till then I must desire yo^r patience, I haue onely to add this (it being y^e Subject of yo^r last Letter) that M^r Topping has not deliuered any thing to me concerning yo^r P^{erson} but what Savoured much to yo^r worth & reputation Comend me kindly to M^r James & Excuse my not wryting to him, being resolved before longe to visitt him.

I haue no more but my kinde respects to all o^r freinds &
desire yo^u to beleive that I am

C. A.
2: 647
(NYSL)

Yo^r assured freind

F. L.

1670/1
Feb. 9

ffort James

9th of ffeb^{ry}

1670.

The Governo^{rs} Ratifica^on of y^e Agreem^t
made between M^r John Mulford, M^r
Thom: James &c: wth some Indyan
touching a certaine parcell of Land.

G. E.
4: 104
(NYSL)

Whereas there was an Agreem^t made bearing Date y^e first
day of December 1670. between M^r John Mulford Justice
of y^e Peace, M^r Thomas James Minist^r & Jeremy Concklyn
Inhabitants of East-Hampton on y^e one part, & severall
Indyans on y^e behalfe of themselves & their Associates, y^e Pro-
prietors of y^e Land at Meantaukett on y^e other part, touching
a certaine parcell of their Land, the which y^e said Indyan
had convey'd & made over unto y^e said M^r Mulford & Com-
pany upon y^e Considerations in y^e said Agreem^t sett forth,
All w^{ch} was returned unto mee wth their Request that y^e
Agreem^t might bee Recorded, & my Confirma^on had
thereupon, but for some Reasons for that time was suspended
untill Certificate was made unto Mee by the Commission^{rs}
for y^e Indyan Affayres in those parts, That all Obstructions
& Objections against y^e Agreem^t afores^d were removed, &
that there was a right Vnderstanding on all parts had there-
upon; These Presents therefore Certify & Declare, That
the Agreem^t of Purchase made by the aforementioned M^r John
Mulford, M^r Thomas James, & Jeremiah Conckling with
the Meantaukett Indyan Proprietors afores^d mentioned, re-

1671
May 3

G. E.
4: 104
(NYSL)

1671
May 3

turned into y^e Office of Records here, is to all Intents & purposes of fforce & valid according to y^e Condiçons therein sett forth, & I doe hereby allow of & confirme y^e same, against all other pretences whatsoever. Given under my Hand & Seale at Forte James in New Yorke this third day of May in y^e 23th yeare of his M^a^{ties} Reigne, Annoq̃ Domini 1671.

[Francis Lovelace.]

G. E.
4: 20
(NYSL)

A second Lycence granted to John Laughton of Southñton to sell some Liquo^{rs} or Powd^r to y^e Indjans.

1671
Aug. 19

Whereas John Laughton of South-Hampton upon Long Island hath formerly had a Lycence from mee for the selling some small quantity of Liquo^{rs} and Powder to the Indjans there, to y^e end they might be y^e more helpfull to him in y^e Whale-fishing (wherein hee is a Partn^r) & in clearing some Grounds for him, y^e Date of w^{ch} Lycence being now expired, and it appearing not hitherto that hee has any wayes behaved himselfe incivilly in that Employ; These are to Certify all whom it may concerne that I have againe given Lycence to the said John Laughton to make Sale or payment for Worke to y^e said Indjans upon y^e Acco^t aforesaid in Liquo^{rs} or Powder; Provided y^e quantity of Liquo^{rs} be not above foure Anchors, nor Powder more then fourty or ffifty pound, and that it noe wayes tend to y^e breach of the Lawes or disturbance of y^e publique peace. This Lycence is to continue for one yeare after y^e Date hereof, and noe longer. Given under my Hand at fforte James in New Yorke this 19th day of August. 1671.

[Francis Lovelace.]

Commission for Cap^t John Howell
to be a Justice of y^e peace in
y^e E. Riding of Yorkshire &c:

G. E.
4:54
(NYSL)

Francis Louelace Esq^r &c: Whereas I have conceived a good Opinion of y^e Ability & Integrity of you Cap^t John Howell of Southampton in y^e East Rideing of Yorkshire upon Long Island for the carrying on of Publiq^s Affayres, I have therefore thought fitt to Constitute & Appoint you to be a Justice of y^e peace of this Governm^t within y^e Rideing aforesaid. Giveing you full power and Authority to Execute all such Lawes as already are, or hereafter shall be made for y^e good Governm^t of these his Royall Highness his Territoryes; Hereby willing & requiring you to discharge your Duty as a Justice of y^e peace ought to doe, and to observe such Rules & Instructions from time to time as you shall receive from mee concerning the same. And all other Persons within this Government are hereby strictly Charged & required to take Notice hereof, and to beare respect and give Obedience unto you in y^e performance of yo^r Office of a Justice of peace appointed by Authority of his Royall Highness. And this Commission is to bee of fforce for one whole and entire yeare after the Date hereof. Given under my Hand & Seale at Forte James in New Yorke this 18th day of Octob^r in y^e 23th yeare of his Ma^{ties} Reigne. Annoq^s Dñi 1671.

1671
Oct. 18

ffran: Lovelace

An Ord^r about Whales.

G. E.
4:123
(NYSL)

Whereas I am given to understand, That there hath been great Abuse by y^e neglect of y^e Offic^{rs} of severall Townes

1672
May 2

G. E.
4:123
(NYSL)

1672
May 2

upon Long-Island in not making Enquiry into or securing his Royall Highness his part of Drift Whales or Great ffish cast upon y^e Beach or Shoare according to y^e Directions in y^e Law, the w^{ch} other persons p^rsume to Engross without rendring any Acco^t; ffor y^e p^rvention thereof for the future, and better securing y^e Dukes Interest therein, I have thought fitt to Constitute and Appoint, & by these Presents have hereby Constituted and appointed M^r W^m Osborne, & M^r Jn^o Smyth of Hempstead to make strict Enquiry either by Indyans or others, of all such Drift Whales or great ffish as shall bee cast up on the Beach or Shore between y^e Bounds of y^e Towne of Seatalcott Eastward, & y^e utmost part of the Lymitts of Gravesend or Coney-Island Westward; And if any such Whale or Great ffish shall bee at any time found, that they give an Acco^t of and secure his Roy^{al} Highness his Interest and part of them as in y^e Law is sett forth; And y^e said W^m Osborne & John Smyth shall bee solely employed herein for and dureing y^e space & Terme of [*blank*] yeares; They behaveing themselves therein according to y^e Trust reposed in them, And for what they shall lawfully Act or Doe in the Premisses, This shall bee to them a sufficient Warrant. Given under my Hand at Forte James in New Yorke this 2^d day of May in y^e 24th yeare of his M^a^{ties} Reigne, Annoq̃ Dñi 1672.

[Francis Lovelace.]

G. E.
4:159
(NYSL)

An Ord^r for Regulating y^e Abuse of
selling Liquo^{rs} by y^e small Meas-
ure, us'd by some at Southton.

1672
July 4

Whereas Comp^t hath been made unto mee by Zorobabel Philips who for severall yeares hath kept an Ordinary or

House of Entertainm^t for Strang^{rs} in y^e Towne of South-
ampton in the East Rideing of Yorkshire upon Long Island,
for y^e which hee hath a Licence from y^e Court of Sessions,
& hath therein behaved himselfe conformable to the Lawes
in that behalfe sett forth, That diverse of his Neighbours
haveing noe Lycence or Toleraçon at all soe to doe, doe
presume to sell Strong Liquo^{rs} by y^e small Measure contrary
to the Lawes in such Cases provided; These are to require
y^e Offic^{rs} of y^e said Towne of Southton, That they fore-
warne any such Person for y^e future to sell any Strong
Liquo^{rs} otherwise then in y^e Law is allowed, under y^e penal-
ties therein sett forth, to bee immediately Levyed upon y^e
Breakers & Infringers thereof. Given under my Hand at
Forte James in New Yorke this 4th day of July 1672.

G. E.
4: 159
(NYSL)

1672
July 4

[Francis Lovelace.]

Lycence granted to Zorobabell Philips of
Southton to sell Liquo^{rs} to y^e Indiyans.

G. E.
4: 160
(NYSL)

Whereas Zorobabell Phillips of Southton in y^e East Rideing
of Yorkshire upon Long-Island being engaged wth some of
his Neighbo^{rs} as a Sharer in y^e Whalefishing Designe, hath
requested my Lycence that hee may bee permitted to sell
some small quantity of Liquo^{rs} to such Indiyans as may bee
usefull unto them in carrying on of that worke, without
whose help or Assistance therein, they finde it very difficult
to goe on; These are to Certify all whom it doth or may con-
cerne, That I have given Lycence to y^e said Zorobabel
Philips to sell some small quantity of Liquo^{rs} to those Indiyans
that shall bee employed by him or Company in y^e said
Designe for y^e space of one yeare after y^e Date hereof;

1672
July 4

G. E.
4: 160
(NYSL)
1672
July 4

Provided it bee done wth such Moderaçon, that noe Abuse bee committed thereby, w^{ch} may occasion Disturbance amongst the Christians or Indyans, nor any just Cause of Complaint from the Neighbourhood. Given under my Hand at Forte James in New Yorke this 4th day of July 1672.

[Francis Lovelace.]

G. E.
4: 232
(NYSL)

[Licenses to sell Strong Drink to Indians.]

Novem: 20th 1672.

1672
Nov. 20

Commission granted unto John Laughton & John Jennings to sell Liquo^{rs} to y^e Indyans in Southampton, & parts adjacent, both joynd in one Commission, running after y^e forme of that Commission granted to Jn^o Laughton in Anno 1669.

The like to Edward Petty for Southold.

The like also to W^m Perkins for East-Hampton.

Memorand^m That John Cooper may have Lycence to furnish his Indyans wth a Gyll of Liquo^{rs} now & then as occasion shall require, placing it to y^e Acco^t of part paym^t of their Wages.

G. E.
4: 233
(NYSL)

[Commission to Capt. John Howell.]

Eodem die-viz^t Novem: 20^{mo} 1672.

1672
Nov. 20

Commission granted, for Cap^t John Howell to bee Justice of peace of y^e East Riding of Yorkshire for one yeare longer

Liberty given to Jn^o Cooper to employ some
strange Indyans in y^e Whaling Designe. G. E.
4:235
(NYSL)

Vpon y^e Request of John Cooper, that hee may have Liberty
to employ some strange Indyans in his Whaling Designe, if
hee shall see occasion as well as those other Indyans belong-
ing to the Towne, wth whom hee hath already contracted,
there appearing noe Inconvenience therein, I doe approve
thereof notwithstanding the Townes Order to y^e contrary,
provided others bee not debarred of the same Priveledge, if
they shall see cause to make use thereof. Given under my
Hand at ffort James in New Yorke this 28th day of Novem:
1672. 1672
Nov. 28

[Francis Lovelace.]

A Confirmaçon of an Ord^r made at y^e East
end of Long Island about Whaling.¹ G. E.
4:236
(NYSL)

Whereas there was an Ord^r made at a Towne Meeting in
Southampton upon y^e second day of May last relating to
y^e Regulaçon of the Whale fishing, & employm^t of the
Indyans therein, wherein particularly it is mençoned, that
whosoever shall hire an Indyan to goe a Whaling, shall not
give him for his Hire above one Trucking Cloath Coat for
each Whale hee & his Company shall kill, or halfe the
Blubber without the Whalebone, under a penalty therein
exprest; Vpon Consideraçon had thereupon I have thought
good to allow of y^e said Order, & doe hereby confirme the
same untill some Inconvenience therein shall bee made
appeare; And doe also Order that the like Rule bee follow'd 1672
Nov. 28

¹ There is also a copy of this confirmation, without material variation, in
New York Colonial Manuscripts, vol. 22, p. 143, endorsed "John Coopers
Papers 1676."

G. E.
4:236
(NYSL) at East-Hampton, & other places, if they shall finde it practicable amongst them. Given &c: Novemb^r 28th 1672.

1672
Nov. 28

[Francis Lovelace.]

G. E.
4:265
(NYSL)

Licence for Jn^o Cooper to sell small quantities of Liquo^{rs} to the Indyans.

1672/3
Feb. 26

Whereas it was referred to some of y^e Councell & y^e Justices of the peace at the last Court of Assizes, to consider of some Orders, & Rules to bee observed as to the hiring or making use of Indyans in the Whaling Designe at the East end of the Island, & particularly as to John Cooper what proportion of Strong Liquo^{rs} hee might bee permitted to allow his Indyans upon that Employ^{mt}, who thereupon represented unto mee, that it could bee noe prejudice, if hee did furnish any of them wth a Gill of Liquo^{rs} now & then as occasion should require, placing it to the Acco^t of their Wages, in part of paym^t of the same, I doe very well approve of what was then represented concerning the same; of which the Justices of peace, & other Officers are to take notice, soe that the said Jn^o Cooper hath the afores^d Priveledge, hee suffering noe Disorder to arise thereby amongst y^e Indyans. Given &c: this 26th day of ffebruary 1672.

[Francis Lovelace.]

To all whom this may Concerne.

G. E.
4:281
(NYSL)

A Warrant to reinforce a Commission granted unto W^m Osborne & John Smith of Hempstead about Whaling.

1673
Apr. 24

Whereas I gave a Commission y^e last yeare unto W^m Osborne & John Smith of Hempstead for a certaine time

to have the Charge & Care of looking after & securing all Drift Whales that should happen to bee cast on the South-parts of Long Island within the space in the said Commission limited, It being for the p^rvention of Abuses that had often been practized, diverse persons finding such Drift Whales having cutt them up & kept all the Proffitt to themselves, deceiving his Royall Highness of his Dues, & at other times it being noe particular Persons Charge, such Drifts were neglected, soe both the Duke & Countrey had a Losse thereby; And being since given to understand that other Persons take upon them y^e said Charge of looking after Drift Whales, giving noe Acco^t of the same, nor taking Notice of my Commission; These are to require all Persons whom this may Concerne, That they bee Ayding & Assisting unto y^e said W^m Osborne & Jn^o Smith in prosecuting their Commission; And if any Person by Accident doe heare of or finde such Whales within y^e Lymitts in their Commission specified, That they give Notice to y^e said Persons thereof, who are obliged to take Care about it, soe that the Duke bee not deceived of his Dues; w^{ch} if every Person take it upon them may too frequently bee done; And for what y^e said W^m Osborne & John Smith shall lawfully Act & Doe in prosecution of their Commission for the time & Terme afores^d this shall bee to them sufficient Warrant. Given under my hand &c: Aprill y^e 24th 1673.

G. E.
4:281
(NYSL)

1673
Apr. 24

Franc: Lovelace

To all Justices of y^e Peace, Constables, &
other Offic^{rs} to whom Applicacōn shall
bee made upon this Acc^t

No. XXX.

FLUSHING, HEMPSTEAD AND JAMAICA — PRO-
TESTS ADJUDGED TO BE SCANDELOUS,
ILLEGAL AND SEDITIOUS; BOUNDARIES.

Deeds
2:235
(Sec. State)

[Indian Deed to Jamaica.]

Recorded for the Towne of Jamaica,
the 5th day of March 1667

1663/4
Mar. 19

Recorded
1667/8
Mar. 5

Know all men, whom it may any wayes concerne, That wee whose names are under written, being the true owners of a Tract of Land, lying on the North side of this Towne of Crawford, alias Jamaica, the said Tract of Land, being commonly called the Hills, I say being the true owners of the said Land, which is Bounded on the South side wth the Towne of Crawford aforesaid, on the East side with the mark't Trees, betwixt the Greate Plaines and the little Plaines, and so to rune North a Mile or more, over the Hills; The North Line or Bounds, to rune a Mile or more over the Hills, and so to rune west, or there abouts, till it meete with fflushing fresh Meadows, and to run close to the South end of the said Meadows, and to keepe his Course close to the South end of M^r Doughtyes Swampe, commonly so called, and from thence to rune to the head of fflushing Kills or Meadows, at the head of fflushing River, which shall bee the west Bounds of the said Tract of Land, ruñing thence South to the Bounds of Crafford, by former Purchase; I say wee Subscribed do for our selves, our heires and Successo^{rs} or any other that shall pretend Clayme there unto, fully

Sell and make over, unto the Inhabitants of the Towne of
Crawford, all the Lands contained within the said Bounds, with all Priviledges and Appurtenances belonging there
unto, for the Inhabitants of the Towne of Crawford above
said, their Heires and Successors to hold, Possesse and Enjoy
for ever; That this is our Act and Deed, wee testify by Sub-
scribing our hands, this 19th of March 166 $\frac{3}{4}$

Deeds
2:235
(Sec. State)

1663/4
Mar. 19

Recorded
1667/8
Mar. 5

Subscribed before	Tackpowshe	X	his Marke.
Daniell Denton	Sawascung	X	his Marke.
Andrew Messenger	Sawase	X	her Marke.
his X Marke.	Wamitawpak	X	his Marke.
	Hecomeack	X	his Marke.
	Mahakik	X	his Marke.
	Wigkwam	X	his Marke.
	Tuckquince	X	his Marke.
	Rockance	X	his Marke.
	Aramohor	X	his Marke.
	Romosowe	X	his Marke.

At the Generall Meeting of the Deputyes
of Long Island, held before the Governour
at Hempsteed, March the 2^d 1664.

Deeds
2:3
(Sec. State)

Flushing }
Hempsteed }

It is this day Ordered, That a Parcell of Lands shall bee
sett out for the Towne of fflushing, beginning at the head of
Mathew Garretsons Bay (which by computaçon is to bee
interpreted, the middle of the Bay) and to runne South
East about three Miles in Length, and in Breadth about
two Miles; And that some Persons bee appointed by the

1664/5
Mar. 2

Deeds
2:3
(Sec. State) Townes of Hempsteed and fflushing, at the Charge of the said Towne of fflushing, within [blank] dayes after the date hereof, to view and sett forth the same; And within the space of [blank] dayes after such Lands shall bee so viewed and set forth; The said Towne of fflushing shall returne to the Towne of Hempsteed, an Answer of their Acceptance or refusall thereof.

1664/5
Mar. 2

The Towne off Flushing Accepted of the offer made them by their Neighbo^{rs} the Towne of Hempsteed.

Deeds
2:4
(Sec. State)

At a Generall Meeting of the Deputyes of Long Island, held before the Governour at Hempsteed March the 2^d 1664.

Flushing }
Jamaica }

1664/5
Mar. 2

It is this day Ordered, That a Lyne shall bee drawne to runn through the middle of the Hills in Controversie betweene the Townes of fflushing and Jamaica, East and West, parallel with the Lyne of fflushing, which shall bee the Bounds of Each Towne; And in regard the Towne of Jamaica hath disburst to the Natives for their Interest, the Summe of Thirty pounds for the Purchase of the said Hills, And it appearing not, that the Towne of fflushing hath paid any moneys, or given any Satisfaction to the Indyans for the same; The Towne of fflushing shall therefore pay or Satisfy, the one moyety of the said Purchase money, to the Towne of Jamaica, and so each place shall enjoy their respective proportions of the Hills aforesaid, divided by y^e Lynes above mentioned, in Common or other wise, as to either of them shall seem good.

At the Generall Meeting of the Depu- Deeds
tyes of Long Island, held before the 2:5
Governour at Hempsteed the 3^d day (Sec. State)
of March 1664.

Jamaica }
Hempsteed }

Whereas the Towne of Jamaica, doth lay Claime to the little Plaines, which the Towne of Hempsteed alleadge to bee within their Pattent, Now in regard the said Towne of Jamaica, have for nine yeares past, enjoyed the said Plaines without molestaçon, and cannot subsist without them, Neither is it knowne whether they are within the Bounds of Hempsteed Pattent; It is this day Ordered, That the lyne of Hempsteed Bounds, being drawne from the head of Mathew Garretsons Bay (which is to say the Middle of the said Bay), to runn directly to the South Sea, what part of the said little Plaines, the said Lyne doth not comprehend, to bee within y^e Bounds of Hempsteed, shall bee and remaine to the Towne of Jamaica, and if any part thereof shall bee within the Bounds of Hempsteed, in regard they are Sufficiently provided, and Jamaica hath great Necessity thereof, Upon Neighbourly and moderate Termes, the Towne of Jamaica shall likewise bee posses't thereof, by Sale or Assignm^t from the Towne of Hempsteed.

1664/5
Mar. 3

At the Generall Meeting of the Deputyes Deeds
of Long Island held before the Gover- 2:9
no^r at Hempsteed Mar^{ch} 6: 1664 (Sec. State)

Jamaica. }
New Towne. }
flatt Lands. }
flatt Bush. }
Brookland. }

It is this day Ordered, That the flly Lands or Meadows in controversy, betweene the severall Townes of Jamaica,

1664/5
Mar. 6

Deeds New Towne, flat Lands, flatbush and Brookeland, shall
 2:9
 (Sec. State) be Surveyed, and two able men are to bee appointed out of
 1664/5
 Mar. 6 each Towne to take a strict view, what Meadow Grounds
 they have respectively been supplied with, for three yeares
 last past, and in case of non Agreement there upon amongst
 themselves, they shall Choose one Person to bee their
 Umpire, and what shall appeare to bee over and above the
 Proportion of Meadow Grounds so made use of, in the time
 aforesaid, shall bee Alotted to those Townes who shall bee
 adjudged to have the greatest Number of Cattle, and the
 most need thereof.

Richard Nicolls.

Deeds
 2:22
 (Sec. State)

Mr Coutilleau to lay out the Bounds
 of Hempsteed, Jamaica &c.

1665
 Apr. 11

Whereas at the late Generall Meeting at Hempsteed, after
 much debate, and mature deliberation thereupon, There
 issued forth severall Orders to determine the Bounds in
 difference betweene the Townes of Hempsteed and flushing,
 Hempsteed and Jamaica, and flushing and Jamaica; These
 are to Appoint and Authorize Jaques Coutilleau of New
 Utricht, and y^e said Jaques Coutilleau is hereby Appointed,
 according to his best skill and knowledge, upon the last
 Tuesday of this instant Moneth, to Survey and lay out the
 Bounds and Limitts of the respective Townes, according to
 the directions in the said Orders expres't, And the Inhab-
 itants of each Towne, are to bee thereby concluded, Given
 under my hand at ffort James in New Yorke this 11th day
 of Aprill 1665.

Richard Nicolls

Instructions for y^e Surveying of y^e Deeds
South Meadowes on Long Island. (Sec. State) 2:40

In pursuance of the Order made at the Generall Assembly at Hempstead in March 1664, And to the end that an Exact Survey bee made of y^e South Meadowes, for the accomodation of the five severall Townes therein concern'd, that no controversy may hereafter bee continued, I conceive these following Instructions necessary.

1666
June 2

1st That Mr James Hubbard, and Jaques Coutilleau, at y^e Charge of the five Townes, bee Employed to take an Exact Survey of the said Meadowes, in manner following.

2^{dly} That the Survey begin from the Bounds of Hempstead Meadowes, taking them as they lye.

3^{dly} That by the Judgm^t of those who are p^rsent, the goodnesse and the meanesse of the Meadowes bee concluded and put into writing, that a further judgment and computation thereof, may bee made.

4^{thly} That the Meadowes bee Staked and Parcelled into Divisions of 20, of 30, and of 50 Acres, by which Proportion so laid out, the Bounds of the said Townes, may bee more Easily knowne & distinguis^ht.

5^{thly} That being upon the place, speciall notice bee taken in writing, what Meadowes ly most conveniently to Supply the necessities of each Towne, with least trouble of passing the Creekes.

6^{thly} That a breviat bee taken, what proportion of Meadowes, every Towne pretends unto, either by Purchase or Patent.

7^{thly} That in case the severall Persons appointed from the Townes, can upon the place, Agree to their severall Divisions, as they fall out upon y^e Survey, I shall bee contented to ratify the same, when 'tis brought in Writing before mee; but if they cannot Agree amongst themselves (w^{ch} I suspect) then follow all y^e 1st Points of my Instruc^{ti}ons,

Deeds
2:40
(Sec. State) and remitt y^e whole Survey, and your animadversions upon
the Meadow, to my further directions; for y^e doing whereof,
and y^e particulars herein contain'd this shall bee yo^r War-
rant; Given under my hand in ffort James the 2^d day of
June 1666.

Rich^d Nicolls.

To M^r Mathias Nicolls
Secretary.

Deeds
2:42
(Sec. State)

A Letter written to M^r Denton,¹ and to
y^e Constable & Overseers of Jamaica.

1666
June 5

I have reċd an Account from M^r Nicolls, of what past at
yo^r Towne, in relaċon to the intended Survey of the South
Meadowes, And having this day taken a View of the Survey,
heretofore made by M^r Jaques Coutilleau, of all the Meadowes
from the fourth Kill, or Eastern part of Sellers Neck West-
ward to Stromme Kill, and also your Paper wth the division
of your Meadowes, into particular Lotts, whereof three
onely of 50 Acres are laid out, upon Sellers Neck, I have
thought fitt to Signify unto you, That I shall bee ready to
Confirme unto your Towne, all the Meadowes as they are
now laid out, from Hempsteed Bounds, to include the said
50 Acres on y^e West side of the Haw Trees, And to prevent
any further Contests, that the remainder of the said Neck,
shall here after bee and remaine to y^e use and accommodation
of y^e Inhabitants of New-Towne and Brookland, To w^{ch}
determinaċon, your iġmediate Answer and Consent is expected
by this expresse, that matters of this nature, may no longer
bee held in Suspence.

Your very Loving ffriend

Rich^d Nicolls.

New Yorke, James ffort,
the 5 day of June 1666.

¹ Daniel Denton.

The Declaration of y^e severall Justices
of y^e Peace concerning y^e said Libells. C. A.
2: 653
(NYSL)

Wee his Ma^{ties} Justices of y^e Peace wthin theise his R. H^{ss} his Territoryes & Dominions being assembled togeth^r according to y^e Lawes establish't at y^e Court of Sessions held at Gravesend for y^e west Ryding of Yorkshire upon Long Island y^e 21th & 22th days of Decemb^r 1670. being assisted by some of y^e Governo^{rs} Councill & likewise of o^r brethren of y^e North Ryding, having had y^e sh^{us}all of Three papers p^rsented at y^e Court of Sessions at Jamaica y^e weeke before from & in y^e name of y^e Townes of Flushing Hempsteed & Jamaica, Upon mature deliberation & consideration had thereupon, Wee haue unanimously concluded & adjudged, That y^e said Papers are in themselues false scandalous illegall & seditious tending onely to disafect all y^e peaceable & well meaning Subjects of his Ma^{tie} in theise in his R. H^{ss} his Territoryes & dominions, & do declare this to be our Sentiments & opinions, y^e w^{ch} we humbly represent to his Hono^r y^e Governo^r & his Councill to proceed upon it as they Conceive shall best tend to y^e Suppression of Such mischeifs as may Arise by y^e Impression of false Suggestions & Jealousyes in y^e myndes of peaceable & well meaning Subjects from their Just dutyes & obedience to y^e Laws wthin theise his R. H^{ss} his Territoryes & Dominions, And this we humbly p^rsent attested und^r our hands.

An Ord^r for y^e Libells drawne
up by y^e Townes of fflushing
Hempsteed & Jamaica to be
publiquely burnt. C. A.
2: 651
(NYSL)

Whereas at y^e last Gen^{rl} Court of Assizes held at New Yorke, amongst many things there propounded & concluded on, It was thought requisite for y^e welfare & safety of theise 1670
Dec. 29

C. A.
2: 651
(NYSL)

1670
Dec. 29

his R. H^{ss} his Territoryes & Dominions, that y^e ffort wthin this Citty, being fallen to ruin by reason of y^e decay of y^e Pallisadoes should be taken into consideration & repaired, And that y^e Justices of y^e Peace at their next Courts of Sessions should consult & conclude of y^e ways & meanes whereby that worke should be put into Execution, to y^e ease & satisfaction of y^e Inhabitants, who then were to be acquainted wth what was then determined to be y^e most Equitable way. But so it is that three Townes und^r his R. H^{ss} his Dominions That is to say fflushing Hempsteed & Jamaica, having called each of them a Towne meeting before y^e matter was recomended to them from their respective Justices of y^e Peace und^r whose Rydings they apperteyne & having at their said Towne meetings drawne up seuerall papers, y^e w^{ch} they p^rsented to y^e Justices of y^e peace at y^e Court of Sessions held at Jamaica, who fflusing y^e Said papers they appeared in themselues so false scandalous & seditious that it was thought requisite to reco^mend y^e consideration of y^e said papers & libell to y^e next Co^{rt} of Sessions to be held at Gravesend, To y^e end that all or most parte of y^e Justices being there mett might take y^e meritt of those Scandalous Papers into their Considerations, w^{ch} being accordingly fflfourmed, Upon mature deliberation & consideration had thereupon they did unanimously conclude & adjudge that y^e said papers were in themselues Scandalous illegal & seditious tending onely to dissafect all y^e peaceable & well meaning Subjects of his Ma^{tie} in theise his Royall H^{ss} his Territoryes & Dominions & thereupon declared, That this their resolution should be so p^rsented to y^e Governo^r & his Councell to proceed upon it, as they should conceive would best tend to y^e Suppression of such mischeifs as might arise by y^e Impression of false suggestions & Jealousyes in y^e myndes of peaceable & well meaning Subjects, from their duties & obedience to y^e Laws wthin theise his R. H^{ss} his

Territoryes & Dominions Now y^e Governo^r & Councell hauing taken y^e whole matter of fact into their serious Considerations, They do agree that what y^e Justices haue declared at their meeting in y^e Court of Sessions held at Gravesend y^e 21th & 22th days of this instant month, And do adjudge that y^e said Originall papers contrived & deliuered from y^e severall Townes aforementioned of fflushing Hempstead & Jamaica to be both Scandalous illegall & seditious, & y^t y^e said Originall papers be openly & publicly burned before y^e Towne house of this Citty at y^e next Mayors Court to be held there, & y^t y^e principall contrivers thereof be inquired into & proceeded ag^t according to their demeritts, & y^e Lawes of y^e Land Establish't, And that y^e Mayor of y^e Citty be desired to publish this Proclamation & see y^e contents thereof put in Execution. Given und^r my hand & sealed wth y^e Seale of y^e Colony this 29th day of Decemb^r 1670.

C. A.
2:651
(NYSL)1670
Dec. 29

F. L.

Copy of y^e originall.

No. XXXI.

STATEN ISLAND — LOTS LAID OUT FOR
SOLDIERS.

M^r Jaques Cortilleau ordered and
appointed for y^e Convenient laying
out 40. Lotts, for y^e settling 2.
Townships on Staten Island.

C. A.
2:610
(NYSL)

Whereas it is Resolved upon that Two Townships shall be
setled upon Staten Island of 40. Familyes each. You are

1670
Oct. 24

C. A.
2: 610
(NYSL)

1670
Oct. 24

hereby ordered & appointed forthwth to repaire to y^e said Island, & first of all to take a view where 18. Lotts more may be added to y^e 22. already laid out, or so many as shall compleate y^e said number of 40. & that it be so Contrived that y^e Lotts be not laid out stragling but neare one anothe^r, w^{ch} when yo^u shall haue done, that yo^u goe to y^e great Kill, & pitch upon y^e most convenient place for a Towne there of y^e like numb^r of 40. Familyes, & having made an Exact Calculation thereof, that yo^u bring an Account thereof unto me by Monday morning next, & for so doing this shall be yo^r warrant. Given und^r my hand this 24th day of Octob^r 1670.

[Francis Lovelace.]

To Captⁿ Jaques
Cortijleau Surveyo^r Gen^l

C. A.
2: 614
(NYSL)

An Ord^r for y^e Assisting & ayding of
M^r Jaques Cortelijau in y^e laying out
y^e Land upon Staten Island.

1670
Nov. 17

Whereas I haue Imployed & Impowred Captⁿ Jaques Cortelijau to be Surveyo^r Gen^l & to lay out y^e Lotts & other Lands upon Staten Island, according to y^e Instructions he shall from tyme to tyme Receive from me. These are to require yo^u to be ayding & Assisting unto him, & to furnish him wth what necessaryes, he shall haue Occasion of & for so doeing this shall be yo^r warrant. Given und^r my hand at ffort James in New Yorke this 17th Day of November 1670.

[Francis Lovelace.]

To y^e Officers or any others
whome this may concerne
on Staten Island.

An Ord^r from y^e Governo^r to Capt C. A.
Jaques Courtelija [*sic*], for the laying 2:665
out y^e Lotts on Staten Island. (NYSL)

These are to require yo^u that forthwth upon sight hereof you repaire over to Staten Island, and according to Instructions formerly given, that you lay out the severall Lotts of Land to compleat y^e present Towne there to y^e Number of 41 Lotts; & also what hath been agreed upon for y^e New Towne. And that the same may be the sooner expedited, I have herewith sent to yo^r Assistance Serjeant Dowdall & Corporall Comely; At whose returne after you shall have compleated this Affaire, I expect from you a plaine Draught of y^e 2 Townes; and an Acco^t of your particular proceedings herein. Given under my Hand at Forte James in New Yorke this 28th day of March. 1671. ¹⁶⁷¹
Mar. 28

[Francis Lovelace.]

To Captⁿ Jaques Courtelija [*sic*]
Surveyour Gen^{ll}

Order to Captⁿ Jaques Cortilleau for laying C. A.
out y^e Souldiers Lotts on Staten Island 2:712
(NYSL)

These are to Authorize & Require you forth-with to lay out of y^e Meadow-Ground at y^e Great Kill upon Staten Island ffive Mergan or ten Acres a piece of Land as proportionably & conveniently as you can for each Lott both at y^e Old Towne & y^e New Plantacon next unto it, & likewise y^t you give mee Acco^t of y^e Overplus, out of w^{ch} for this p^rsent yeare I may pleasure those that have larger Stocks ¹⁶⁷¹
June 14

C. A.
2:712
(NYSL)
1671
June 14

wth a greater proporcion for their Supply; And for what you shall doe herein this shall be yo^r Warr^t Given under my Hand at fforte James in N: Yorke. June y^e 14th 1671.

[Francis Lovelace.]

I would have yo^u to ascertaine y^e 5 Morgan to y^e new Lotts first beginning at this side of y^e great Kill, & where y^e Meadow proves insufficient to make it up in a greater quantity.

G. E.
4:98
(NYSL)

A Proclamacon about y^e Lotts granted on Staten-Island, enjoyning those persons who have promises of Land there, to bring in their Names to the Secretaryes Office, and wthin a certaine time to fence in y^e same.

1671/2
Jan. 25

Whereas Applicacon hath been made unto mee by diverse Persons since my Resolucon of y^e Settlem^t of y^e New Townes & Plantacons upon Staten-Island, That they may bee Admitted to have Lotts there, for y^e w^{ch} severall of them have my Graunts, Upon Condicon they shall improve & build thereupon; To y^e End the same may bee accomlisht, according to y^e Intent of y^e said Grants, I have by & wth y^e Advice of my Councell Thought fitt to Order, Publish, & Declare That the Names of all those that have Graunts of New Lotts of Land upon Staten Island shall bee brought in to y^e Secretaryes Office at y^e fforte, & haveing by my Order their respective Lotts of Land assigned unto them as they are laid out by y^e Surveyo^r Geñ^l (wth my Patents for their Confirmacon,) Time shall bee given them untill y^e first day of May next for y^e ffencing in their Home-Lotts as y^e

Beginning of their Settlem^t. But whosoever shall refuse or neglect to doe y^e same wthin y^e time p^rfixt, their Graunts & Patents shall bee judged void & invalid, & their Lotts reverst to y^e Governo^{rs} Disposall as hee shall thinke fitt. Of y^e Publica^çon of this Order & Proclama^çon all Persons concerned are to take Notice, that they may bee left wthout Excuse. Given under my Hand &c: this 25th day of Jan^{ry}. 1671.

G. E.
4:98
(NYSL)
1671/2
Jan. 25

[Francis Lovelace.]

No. XXXII.

NEWTOWN — ESTATE OF JOHN COCKRAM SOLD
FOR DEBT.

An order to expose John Cockrams
Estate to sale.

O. W. L.
2:395
(NYSL)

Whereas John Cockram late of New Towne in y^e West-Riding upon Long Island, hath absented him selfe from his habita^çon and usuall place of abode, having not taken any care to discharge his Debts. And there being a Summe of Money due from him to the Publick, which hee collected, as hee was Constable, as also divers other debts and Engagem^{ts} upon his Estate. For the better Securing of each persons Intherest[*sic*]. I doe hereby authorize and appoynt the present Constable M^r Francis Doughty and Overseers, to expose to Sale the Estate of y^e Said John Cockram lyeing within their Towne and precincts to y^e best advantage and after

1669
Apr. 19

O. W. L.
2:395
(NYSL)
1669
Apr. 19

having deducted the publick debt aforementioned to Secure the remainder untill the next Court of Sessions who are to adiudge how the residue of y^e Debts Shall be paid, following the directions in the Law Sett forth. Given under my hand att Fort James in New Yorke this 19th day of Aprill in y^e 21th yeare of his Ma^{ties} Raigne Annoq̃ Domini 1669.¹
[Francis Lovelace.]

C. A.
2:523
(NYSL)

A Protection Graunted to John Cockram
of New Towne.

1670
May 6

Whereas John Cockram late of New Towne upon Long Island hath absented himselfe out of this Governm^t upon y^e Account of severall Debts he had Contracted for y^e payment whereof his Estate was ordered to be sould but as yett nothing hath beene effectually done therein whereby y^e Creditors are still unsatisfyed & his Estate goes to decay, upon y^e Petition & request of Elizabeth his wife that he may be admitted freely to retorne to y^e place of his former abode shee proposing that in person he can bett^r pay or compound for his said debts then can by any oth^r way be effected, I haue for y^e reasons aforesaid thought fitt to give him my protection from any wrytts warrants arreasts or Execu^{cion} he

¹ Francis Doughty, under this order, sold at public sale "a certaine farme there [Newtown], belonging to John Cockram to make payment of his Debts to his Creditors." Doughty himself secured it as the highest bidder, but became dissatisfied with his bargain and petitioned the next general court of assizes, in November, 1669, for a release, on account of uncertainty in the stipulations of purchase price and manner of payment. The court granted his request and ordered the re-sale of the farm, on December 1st, following, and that Doughty "do use his best skill & endeavour in promoting y^e Sale thereof to y^e best advantage of both Creditors & Owner, & also give notice to y^e Severall Townes, of y^e tyme appointed for y^e said Sale."—*Court of Assizes*, vol. 2, pp. 209, 220, 224.

lyes lyable to for any debt or Trespasse he is lyable to so
that he may safely & freely retorne home & take such
Course as is proposed w^{ch} protection shall continue firme
& so longe as I shall fynde he prosecutes y^e same to his
utmost power Given und^r my hand & seale at ffort James
in New Yorke this 6th day of May 1670.

C. A.
2: 523
(NYSL)1670
May 6

[Francis Lovelace.]

To all Officers or whome else
this may concerne.

M^r Elias Doughty ordered to be put
into possession of y^e house & Land
belonging to John Cockram.

C. A.
2: 657
(NYSL)

Whereas there was an Ord^r of Councell bearing date y^e
24th day of February last, wherein it is Exprest, that M^r
Charles Bridges and Sarah his wife are to be invested
& to haue possession of y^e Estate late belonging to John
Cockram of New Towne a^{ls} Middleborough lyeing & being
in that Towne, And it appearing that they haue made over
& conveyed their Right & interest unto M^r Elias Doughty
upon Considerations agreed upon betweene them, These
are therefore to Authorize & require yo^u to put y^e said M^r
Doughty into possession of y^e house land and appurtenances
lately belonging to y^e aforementioned John Cockram,
any oth^r Clayme or p^rtences thereunto notwthstanding, &
for so doing this shall be your warrant. Given und^r my
hand this 9th Day of March 1670.

1670/1
Mar. 9

[Francis Lovelace.]

To y^e Constable of New Towne
a^{ls} Midleborough.

No. XXXIII.

HEMPSTEAD — COUNTRY RATES AND CAPTAIN
JOHN SEAMAN.C. A.
2:519
(NYSL)An Ord^r for y^e suspending of y^e Country Rates
of C. John Seaman: of Hempstead.1670
May 5

Vpon the Request of Captⁿ John Seaman of Hempstead that he may be suspended y^e paym^t of his Country Rate untill Slaught^r tyme he alleadging not to be provided wth Corne to giue present satisfaction, I have thought good to accept of his proposall, provided he make payment thereof in good Porke this next Season to M^r Bedlow whose receipt given him thereupon shall be his discharge, In y^e meane tyme y^e Constable of that Towne is to take notice hereof y^e w^{ch} shall be allowed him in his Account. Given und^r my hand at Fort James in New Yorke y^e 5th day of May 1670.
[Francis Lovelace.]

No. XXXIV.

STATEN ISLAND — ESTIENNE GAIGNEAU *vs*
JACQUES GUYON, ATTORNEY FOR JEAN
COLLYN, ABOUT LAND.C. A.
2:560
(NYSL)Liberty Graunted to Jaques Guyon to
remaine for one yeare in y^e place
where he now is.1670
July 4

Whereas Jaques Guyon hath requested of me that he may haue leaue to mowe some Grasse in the meadows neare

him where for y^e p^rsent he is seated for his winter provision of Hay for his Cattle, These are to Certifye all whome it may Concerne that I haue giuen him leaue as yett to Continue in y^e place where he hath begun a Plantation & do graunt him priuiledge to cutt his Hay where he desires, untill his proportion of Land shall be more certainly layd out to him, Provided he giue no disturbance in y^e meane tyme to his neighbours of y^e Towne who are hereby likewise required not to molest him in y^e Enjoym^t of y^e p^rmisses, Given und^r my hand at ffort James in New Yorke this 4th Day of July 1670.

C. A.
2:560
(NYSL)

1670
July 4

[Francis Lovelace.]

Jaques Cortelijau & Peter Bilieu & [Layten Walrane] to determyn y^e businesse betweene Estienne Gaigneau & Jaques Guyon.

C. A.
2:655
(NYSL)

Whereas there is a matter in difference depending betweene Estienne Gaigneau late of Staten Island on y^e one parte, & Jaques Guyon now residing there as Attorney of Jean Collyn on y^e oth^r parte for & concerning y^e Interest that each of them p^rtends to haue upon a certaine Lott of ground upon y^e Said Island & y^e Rents or profitts thereof, These are to authorize & appoint yo^r Captⁿ Jaques Cortelijau, Peter Bilieu & Layten Walrane to heare & Examyne into y^e Said matter & to render me as Soone as Conveniently you can an Account thereof und^r yo^r hands, togeth^r wth yo^r Judgm^t thereupon that I may make a finall determination thereof according to Justice & good Conscience Given und^r my hand at ffort James in New Yorke this 4th Day of March 1670.

1670/1
Mar. 4

[Francis Lovelace.]

No. XXXV.

DELAWARE — DISTRESSED CONDITION, INDIAN
OUTRAGES AND THREATENED INDIAN
WAR, DEFENSE AND NEW SETTLERS.

C. A.
2: 578
(NYSL)

1670
Aug. 24

The Governo^{rs} Lre to Cap^{tn} Carr

S^r

Yo^r Lre of y^e 22th instant togeth^r wth y^e ill news arived my hands, & as I cannot but expresse a great sadnesse for y^e misfortune those poore people haue suffered und^r, so I cannot Acquitt y^e magistrates of New Castle of too much remissonesse & security in relation to y^e Indians perticulerly in not avenging y^e last murther comitted on M^r Tom's servants the Omission of w^{ch} may be a great inducem^t to y^e Indians to perpetrate this villany they haue thus lately Acted into w^{ch} I would haue yo^u make a narrow & zealous discovery, I do well approue of your retorne to yo^r Charge, & though I cannot giue yo^u a perticuler instruction how to comport yo^r selfe in that affaire to w^{ch} I am altogeth^r in y^e darke yett thus farre in Gen^{tl} may serve for yo^r directions. ffirst that yo^u strengthen yo^r selfe in yo^r Garrison both to y^e reperation (in some sorte) of y^e decayed works, & likewise to y^e recruite of yo^r men.

Next that yo^u must^r y^e Burgers disposing them in such ord^r to their watches as may secure them from any surprises.

Lastly that yo^u Su^{mōn} y^e Com^{rs} & wth them consult y^e best way to discover y^e Assasines & then to proceed to a demaund or forcing y^e Indians to deliuer up y^e partyes that so they may be brought to Condigne punishm^t

I haue onely this to add that you be carefull on all occasions to giue me advertisem^t of yo^r proceedings & how y^e

complexion of Affaires stand wth yo^u that so I may apply a
 tymely assistance if need require, & so I comend yo^u to y^e
 protection of Almighty God & asure yo^u that I am

C. A.
 2: 578
 (NYSL)

Yo^r Loving freind

1670
 Aug. 24

ffort James 24th August 1670.

F. L.

I haue satisfyed y^e messeng^r according to yo^r desire Now
 y^e harvest & oth^r publique work is done y^e Peasant will be at
 Leasure to assist yo^u wth workmen to repaire y^e ffort
 My service to all wth yo^u

[Propositions from Carr and others about Fortifications at
 Delaware.]

Col. MSS.
 20: 11
 (NYSL)
 Dutch

Translation:

Op d. propositie van d^e
 H: Cap^t: Caar aen d. Heren
 Hooge Raden, dat een be-
 quame plaets haer in Niu
 Castel mach uijt gesien
 werde, om eenige fortificatie
 tot deffentie in tijt van noot
 te hebbe. Als meede dat
 bouen Christina Kil oock
 een bequame plaets mach
 uijt gesocht werde, om in tijt
 van noot tot een toevlucht,
 om haer vast te macken ã
 deffenderen/

On the proposition of the
 Hon. Capt. Carr to the Hon.
 High Council that a suitable
 place may be selected in New
 Castle where the people can
 have some fortification to
 defend themselves in time of
 need; and also, that above
 Christina Kil another suita-
 ble place may be chosen, to
 serve in time of need as a
 refuge, where the people can
 fortify and defend them-
 selves/

1670
 Oct. 5

Op welcke propotie is
 geantwoort ã resoluert

On which propositions it
 was answered and resolved:

1: Dat de bequamste
 plaets in Niu Castel, wert
 geacht op d. Marckt daer de

1: That the most suitable
 place in New Castle for a
 place of defense [consisting]

Col. MSS.
20: 11
(NYSL)
Dutch

1670
Oct. 5

klock hangt, om den diffen-
tieve plaets te macken van
block huijssen, in alsulcke
formen te ordonneren als
bequamst sal geacht werde;
mits dat H: Cap^t: Caar de
gront daer toe vereijschende
euiglick sal quiteren, sonder
eenige act[ie] daer meer aen te
behouden. Belangende de
bekostinge ã arbeit van de
vorseijde vastigheit, ã Block
Huijssen, Sullen voor eerst
de borgers van Niu Castel
Jder naer sijn qualiteit ã
Staet in verschot wessen van
penningen, om de arbeids
luijden te betalen, mits dat
de inwoners in deese Juris-
dictie bequam tot alsulcke
arbeit, sullen gehouden wes-
sen te arbeijden, naer gele-
gentheit van Sacke/

2: Belangende d. fortifi-
catie bouen, wert gelatten in
discretie van d. H: bouen,
om op d. bequaemste plaets
of plaetsen, tot haer def-
fentie te ordonneren/

3 dock alles mit desse in-
sichten het tot gheen orloge
Comt mit de Natturellen,
twelck godt verhoet, de vor-

of block-houses is thought to
be the market-place, where
the bell hangs, and that order
be given to build them there
of such design as shall seem
most suitable, provided that
the Hon. Capt. Carr shall
grant forever the ground re-
quired therefor, without re-
taining any claim to the
same. As to the charge and
labor for the aforesaid forti-
fication and block-houses, the
citizens of New Castle, each
according to his means and
condition, shall at first ad-
vance the money to pay the
laborers, provided that the
inhabitants within this juris-
diction, who are able to do
such work, shall be obliged
to work as occasion may
require.

2: As to the fortification
above [Christina Kil], it is
left to the discretion of their
honors there to order [that
buildings] for their defense
[be constructed] at the most
suitable place or places.

3 All, however, with this
understanding, that if no war
breaks out with the natives,

John Carr
H. H. J. M.
D. B. C. B.
Wm. B. C. B.
Wm. B. C. B.
Wm. B. C. B.
Wm. B. C. B.

AUTOGRAPHS OF CAPTAIN JOHN CARR
AND OTHER LEADING MEN AT THE DELAWARE.

(Original Size.)

seijde block huijssen sullen gebruickt werde vor publicke huijssen als raet huijs, gevangen huijsen, als anders nodich vor publick, mits t' dan tot t'gennerael ẽ publicke reckenning ẽ onkosten ouer t'heele reuier sal gebracht werde/

4: desse resolutie tot gheen Executie te bringen, sonder ordere van d. H: gennerael, te hebben, mar wel Sekreterlick nodiche preparatie te macken, Sonder eenige suspitie te geven aen d. naturellẽ:

Aldus gedaen ẽ gearresteert dessen 5 octob: 1670:

John Carr

Wilt Tom

H: Block

Israel Helm

t Merck X van Piter Rombo

t' Merck X van Piter Kock

which God forbid, the aforesaid block-houses shall be used as public buildings, such as court-house, prisons, or otherwise as necessary for public [purposes], provided that in that case [their erection] shall be charged to the general and public expense account of the entire river.

4: This resolution shall not be carried into effect without order from the Hon. General, but the necessary preparations are to be made secretly, without arousing any suspicion among the natives.

Thus done and resolved, this 5th of October 1670:

John Carr

Wilt Tom

H: Block

Israel Helm

the mark X of Pieter Rombo

the mark X of Pieter Kock

Col. MSS.
20: 11
(NYSL)
Dutch

1670
Oct. 5

Endorsed: Proposiçons made about the fortificaçons at Delaware, vnder the hand of C. Carre & the rest of the high Co^{rt} there. 1670. The order off the High Court.

[Examination of Indians about Depredations at Delaware.] Col. MSS.

present de sackimakers
Rinna Wiggẽ

Translation:

Sachems present:
Rinna Wiggen

20: 14
(NYSL)
Dutch

1670
Oct. 6

Col. MSS. Oebequeme
 20: 14
 (NYSL) Menninckta
 Dutch Oijagrakun
 1670
 Oct. 6 Quequirimē
 Megeras
 Pemenackē
 Colopapan
 Magaecksie
 [Be ?]rensies
 Mannanengē

Op vrijdag sijnde den 23^o
 septemb^r sijn wij te weten
 marten roseman Edman
 kantwel, en pieter Cock,
 pieter rambo Israel Helm, en
 Matheus de Ringh Clercq.
 gekomē alsoo wij alle vān
 E Heeren vande gerechte
 daer toe xsocht waerē, Op
 een wilde plaetse off plan-
 tagie genaemt Annockeninck,
 alwaer een deel wildē ver-
 gaert waerē en noch ver-
 gaerden om te kintekaijen
 met eenige sackimakers,
 wiens naemen hier neuens
 staen, naer dat wij daer 3 a 4
 daegen nae het vergaerē vān
 rest vande sackimakers en
 andere wilden gewacht had-
 dē, de welcke niet al gecomen
 sijn, soo hebben wij haer
 onse saecken voorgedraegen
 en gevraecht.

Oebequeme
 Menninckta
 Oyagrakun
 Quequirimen
 Megeras
 Pemenacken
 Colopapan
 Magaecksie
 [Be ?]rensies
 Mannanengen

On Friday, being the 23d
 of September, we, Marten
 Roseman, Edman Kantwel,
 Pieter Cock, Pieter Rambo,
 Israel Helm and Matheus
 de Ringh, clerk, at the re-
 quest of the honorable gen-
 tleman of the Court, came
 to an Indian village or plan-
 tation called Annockeninck,
 where a number of Indians
 had gathered and were still
 gathering, in order to kanti-
 koy with some sachems whose
 names are written in the
 margin. After we had
 waited three or four days for
 the arrival of the rest of the
 sachems and other Indians,
 who did not all come, we
 stated our business and in-
 quired:

Vuijt wat oorsaeck datse van ons volck hebben doot-geslagē en vermoort en hebben haer vorders geseijt en genoemt aldie geene die sij vermoort hebben, van die tijt aff dat de Engelsē hier int lant syn gecomen tot nu toe, de welcke [ti?]en jnt getal sijnde, met noch veel omstandige rede[nen te lan]gh om te verhaelē,

[*Mutilated*] hebben geantwoort dat sij geen van allen [*mutilated*] wistē, te weten van Kahonsij aff tot aende [*mutilated*] toe, waer op sij voort een Cleijn bosie wit seewant ontrent 3 a 4 vadem aen ons getoont en gegeuē. Op die Conditie dat wij soo lange soude patientie hebbē sij soudē de moordenaers soeckē, en opbrengē, soo wanneer sij die konden vinden, en s[oo] hebben noch een bosie wit seewan gegeuē, met dese woordē daer bij voegende als dat sij geen Oorloch en sochtē, en datse mochtē uyt jagē gaē en op en neer bijde Christenen handelē gelijk als vante vooren

For what reason they had killed and murdered some of our people, and [we] furthermore told them and named all those whom they had murdered from the time that the English came to this region until the present, who number ten [?] in all, with many other details too long to relate.

[They] replied that they did not know of any of them, . . . that is from Kahonsij to . . . , whereupon they showed and gave us a small string of white seawant, about three or four fathoms long, on condition that we should have patience till they sought and delivered up the murderers, if they could find them, and then they gave us another string of white seawant, adding these words: that they did not seek war, and that they wished to be allowed to go hunting and trade among the Christians as formerly, and to the Mincquas, that is the South Mincquas, whom we

Col. MSS.
20:14
(NYSL)
Dutch

1670
Oct. 6

Col. MSS.

20: 14

(NYSL)

Dutch

1670

Oct. 6

en hebben oock aende minc-
quaesē te weten S — minc-
quasē gesijt, die wij mede bij
ons haddē, dat sij geen meer
vande Christenen soudē
dootslaen, waer op sij
oock aende mincquasē een
schenckasie hebben gegeuē,
te weten een bant seewant
met een bosie wit seewan,
nae dat de mincquaesē eerst
aen haer eerst een schenc-
kagie haddē gegeuen, en heb-
ben een heele oratie gedaen,
als dat wij broers waeren
met maelcanderē en datse
broers en vriendē sochten te
blijuen, en dat sij bedroeft
waeren dat sij sulcx gedaen
hadden, en datse moestē
weten datse rondom onder
de Christenē saetē, en wesen
haer daer woonen Christenē,
en daer woonē Christenē

als datse haer bekent
maeckte; dat sij rondom
onder de Christenen woondē,
en als sij oorloochdē waer
dat sij dan haer kruijt en
loot soudē vandaen krijgē
met veel diergelijcke dingē
meer die sij aen haer seijden

Wij hebben haer wederom

had also with us; they said
that they should not kill any
more of the Christians, where-
upon they gave also a present
to the Mincquas, to wit, a
belt of wampum with a string
of white seawant, after that
the Mincquas had first given
them a present, and made
quite a speech, to the effect
that we were brothers of one
another, and that they sought
to remain brothers and
friends, and that they were
sorry that they had done so,
and that they must know
that they were surrounded
by Christians, and showed
them here live Christians
and there live Christians;
declaring to them that as
they were surrounded by
Christians, if they went to
war, where would they then
get powder and ball, and
many other similar things
which they said to them.

We answered them, when

geantwoort, en geseijt, toen wij dit gelt off seewant ont-fingē, dat wij dit ont-fingē niet tot versoeninge vande moort die sij gedaen hebben, maer dat wij het alleen ont-fingē bij provisie tot een getuijgen als dat sij de moordenaers soudē soecken en opbrengē Want onse groote sackimaker seijden wij die en was [met] geen gelt te vreden, maer die wil hebben dat gij de moor[ders] opbrenght. Wij seijden oock dat wij ons verwonderd [en] dat niet een van al de sackimakers off vañ wildē en w[ist] wie dat de moort gedaen haddē en hebben haer self[fs de] moorders genaemt die wij meenden de moor[t gedaen] te hebben, dewelcke waeren met naemen Al[*mutilated*] kecksioes, en de broeder [van]Wissapoes

Waer op sij antwoorden [*mutilated*] hadden, en dat sij tselue [*mutilated*] dien nacht doen de moort g[edaen] [*mutilated*] allomgack in assiskon[ck] [*mutilated*] [ke]ck-sioes was bij de sackimakers

we accepted this money or seawant, and said that we did not accept it as an expiation of the murder which they had committed, but that we accepted it only provisionally as a pledge that they would seek and deliver up the murderers, for our great sachem, we said, was not satisfied with money, but wants you to turn over the murderers. We said also that we were surprised that not one of all the sachems or the Indians knew who had committed the murder, and we ourselves named those who we thought had committed the murder, namely, Al[lomgack,] Kecksioes, and the brother of Wissapoes.

Whereupon they replied . . . had . . . and that they the same . . . the night that the murder took place . . . Allomgack in Assiskon[ck] . . . [and] Kecksioes was at home with the sachems, and the brother of Wissapoes was at the house of the brother of the "crazy farmer," and fur-

Col. MSS.
20: 14
(NYSL)
Dutch

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20: 14
(NYSL)
Dutch

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thuijs en de broer van wis-
sapo[es] die was thuijs bij
de maleboer sijn broer, en
voort dat wij soudē te
vreden wesen dat sij soudē
soecken die het gedaen hadt.

Wij hebben haer oock ge-
vraecht waerom dat sij het
goet van pieter siegee, en
van pieter Alrichs gestolē en
geroofd haddē

Waer op sij Antwoorden
en seijden dat sij dat niet
gedaen en hadden, noch oock
niet van en wisten, maer
dat het de wilden van Assis-
conck gedaē haddē, en dat
sij selfs haer daer van be-
vrijden

Dit is tgene wij met de
Wilde jndiaenē hebbē gehan-
delt.

Was onderțz

Matheus de Ring
Clercq

Naer collatie accordeert
dese met syne principale in
dato en onderțz als bouē

Tot N: jorck den 6^e Octo-
ber 1670

Bij mij

D V Schelluijne Nořs Publ

1670

ther that we should be con-
tent that they would search
for those who had done it.

We asked them also why
they had stolen and robbed
the goods of Pieter Sieger
and Pieter Alrichs.

Whereupon they answered
and said that they had not
done it, neither knew any-
thing about it, but that the
Indians of Assisconck had
done it, and that they them-
selves had freed them from
those Indians.

This is what we treated
about with the savage In-
dians.

Was signed

Matheus de Ring
Clerk

Upon comparison this is
found to agree with the
original, dated and signed as
above.

At New York, this 6th of
October 1670,

By me,
D. V. Schelluijne,
Notary Public

1670.

Endorsed:

the Examin[ac̃on of the]
Jndyans concerning [the]
Murder.
Oct^r 6. 1670.

Col. MSS.

20:14
(NYSL)
Dutch1670
Oct. 6

[Tom to Lovelace about Newcastle.]

Col. MSS.

20:19-20
(NYSL)

[1670/1]

To the Right Hono^{ble}

1 here in a Towne erected w^{ch} is the sthrength for the
river

2 it has beene studied by o^r neighbors of Mary land to
doe the same but could not attayne

3 if o^r neighbors are so desirous then necessary

4 if good then incougament [*sic*]

5 the way to incourage is that noe slopes passe aboue
this Towne to handle wth the inhītants

1 for what before was vsed to be brought here is delivered
aboue and w^t debts is due to vs cannot be receaved for that
they come not below

2 then vpon necessity the place must be forsaken and
noe man left to make resistance ag^t the Indians having noe
profitt and must another stay [?] way out of the land w^{ch}
will breake the Towne and if so every man must stand vpon
his owne guard single wthout any assistance w^{ch} if the Towne
had any incourage^t was able to defend the whole river or at
least themselves but the sloopes going vp and selling drinke
by the small measeaure and receiving there ready paym^t
and wth furnishing wth there petty wares by there doores
getts themselves an advantage to o^r ruine w^{ch} if permitted
every man may doe the like and then his Roy highnes may
wth cost make another Towne of defence as o^r neighbo^{rs}
have indavrred [*sic*] but could not attayne to

Col. MSS.
20: 19-20
(NYSL)

[1670/1]

Endorsed:

some Proposiçons on
the behalfe of the
Towne of Newcastle
in Delaware from
M^r Tom. 1670.

Enclosure:

Im ¹ to know by what tenure wee hold o^r land not being
expressed in o^r patents

Answer:

In co^mon Soccage as the Duke held his, as of the manⁿ ²
of East Greenew^{ch}

Endorsed:

A quere of m^r
Tom's to be resolv'd
concerning the
Tenure of land
at Delaware

C. A.
2: 662
(NYSL)

1670/1
Feb. 29

The Governo^{rs} L^re to y^e Inhabitants
of Delaware.

Gentlemen.

I Rec^d yo^r L^re by M^r Rombout wherein you signifye to
me y^e Result yo^u had wth y^e Indians, concerning y^e Murders
of y^e X^pians, in w^{ch} yo^u haue provided wth moderation suf-
ficient, as far as both yo^r intelligence & y^e Complexion of all
affaires then stood, I haue forborne at this p^rsent to send
yo^u a full determination Reserving that till y^e Arivall of
Captⁿ Carre from whome I expect to receive more light then

¹ Abbreviation for "Item."

² Manor.

hitherto I haue receiued to guide me by, In y^e meane tyme
I recomend y^e affaire to your Vigilant & prudent Managery,
In w^{ch} I cannot omitt to mynde yo^u that not onely your owne
safetyes but y^e hono^r of my Regall Master & our Nation
is so nearely Concerned in y^e Reco^mending yo^u to y^e protec-
tion of y^e Almighty, I remaine yo^r Loving freind

C. A.
2:662
(NYSL)

1670/1
Feb. 29

F. L.

Sent by Peter Rombout of Delaware
29th Feb^{ry} 1670.

[Tom and Alrichs to Lovelace.]

Col. MSS.
20:9
(NYSL)

9th of March 1670 [*i. e.* 1671]

Right Hono^{ble}

yo^{rs} of the 28 of ffebruary wee have receav[ed] and to give
yo^r hono^r a full answer is more th[en] wee can doe
being not all one mens children and for vs few English none
of vs able to speake to the Indians but so farre as wee can
advise yo^r hono^r is as followeth

1670/1
Mar. 9

I first that wee are in a sad condicon is most certaine
living vnder the power of the Heathen and no power to defend
by reason a number of out planta^{co}ns are not able to secure
themselves an[d] wee make a greate question if wee in the
place can well secure o^rselves and to bring them into the
Towne wilbe there vtter ruine and losse of the river for then
they expose there houses corne and cattell to the fury of the
Indians and wee not able to mainteyne them here for p^rven^{co}n
of w^{ch} o^r best proposall is if yo^r hono^r could spare so much
time as to come over to treat wth the Sachems wthout
dispute the reverence to yo^r pson would procure vs 4 or 5
yeares respect and by that time the numerous issue by the
assistance of god wilbe able to defend themselves

2 The Sachems of the Indians give for reason of there

Col. MSS. warre that they threaten to make vpon the Christians is they
20:9
(NYSL) say where the English come they drive them from there
lands and bring for instance the North Virginia and Mary-
1670/1
Mar. 9 land and feare if not timely prevente[d] shall doe so here

3 Thirdly if possible to invite Cap^t Carteret to beare yo^r hono^r company the most of the Indians living vpon his side

4 fourthly wth all reverence yo^r hono^r having writt that yo^r hono^r if occasion was would expose yo^r selfe to the trouble of coming over and desired to know what forces to bring wth yo^u wee doe thinke that 25 men is enough for the guard of yo^r hono^{rs} pson and that number will not frighten the Sachems and more may render yo^r hono^{rs} iourne unprofitable by there non appearance yo^r hono^r now att this time of the yeare not being to fight but to treat

5 fiftly if yo^r hono^r comes as wee well hope be pleased by the first to send an expresse and Peter Aldricks shall meete yo^r hono^r att the time p^rfixt to pilot yo^r hono^r from the Navecinck and informe the Indians of yo^r coming that they may not leave there houses att the sight of so many men to them vnexpected

6 sixtly o^r inten^{con} here is to build a blocke house 40 foote square wth 4 att every end for fflanckers in the middle of the Towne the fort not being fitt to be repaired and if repaired of noe defence lying att the extreame end of the towne and noe garrison therefore wee begg that wee may have libty to pull itt downe and make vse of the tiles bricks and other materials for the vse of o^r new intended fortification [*sic*] w^{ch} if wee have no occasion for as wee feare wee shall will be convenient for a Court house notwthstanding

This being o^r duty in answer to yo^r hono^{rs} letter wee p^rsent to more prudent consideracon and assure yo^r hono^r wee will not alone maintayne o^r owne interest so farr as god shall inable vs but to the furthest of o^r industry presse to

save the hono^r of yo^r Royell Master and o^{rs} together wth Col. MSS.
the hono^r of o^r countrey and then lett fate act wth vs as the 20:9
greate god is pleased in the meane time wee subscribe (NYSL)
o^r selves 1670/1
Mar. 9

Right Hono^{ble}

yo^r hono^{rs} most humble
and faithfull serv^{ts}

Will Tom
pieter alrichs¹

Endorsed:

A Letter from m^r Tom
& M^r Alricks to the
Governor, about the Indyan
affayres there.

Mar. 9. 1670.

[Robert Jones to John Carr.]

Col. MSS.
20:16
(NYSL)

13th of March 1670

S^r

Yo^r letter of the 27th of Jan: I received the tenth of March
instant, whereby we are all confirmed of y^e report of the
great disaster that happened to the sloop, and I should
haue writt sooner to you by a sloop y^t went vp the bay
wherein M^r Wale did send, but I was from home & missed
y^t opportunity, however, now M^r Wale and M^r Wharton
are going themselves I haue sent my draught of the survey
of 400 acres ioyning to our Towne land, and that of 400 acres
at Bumbyes hooke w^{ch} is between M^r Wale and I, w^{ch} I pre-
sume you haue already recd by M^r Wale, together wth M^r
Merritts who is gone for England, (but wilbe god willing
here in October) beseeching you to continue you[r] great

1670/1
Mar. 13

¹ The autograph is Alrichs, but the name is more often given in the records as Alricks, and sometimes even as Alrighs.

Col. MSS.
20: 16
(NYSL)

1670/1
Mar. 13

kindnes and to procure vs our pattents. I doe purpose wth gods leave to spend all the next yeare wth you at Delaware, but this yeare I cannot stir, in respect of my office. I can give you noe further acc^t of that W^m Stone then I did in my last, but that it is not that D^r Stone mention'd in my last letter, for his name is John, this man must needs be very obscure for I haue enquired of the publiquest persons of that County concerning him and can heare noe tideings of any such man: however pray send an acc^t (you may draw it as large as you think convenient) of your due, by M^r Wale, for if the man were found we cannot proceed wthout it. I hope to receive good newes from you by the bearers returne, of peace and plenty and noe obstruction to our Noble Designe. I pray p^rsent my dearest respects to all your good Neighbours, but expecially my humble services and thanks to Madam Carr, for all her goodnes to vs, strangers. I haue sent you a small roll of Tob^o¹ to pipe it, but I am confident you haue better of yo^r owne (though this be sweete sented) for ours was all vtterly spoiled wth the gust in August, however I beg yo^r acceptance, assureing you that in all respects wherein I am capable I will ever remaine

S^r yo^r most faithfull and obliged servant

Robert Jones.

Addressed: These
For Cap^t John Carr
Govern^r of Delaware [*Seal*]
at New Castell.

Endorsed:
M^r Robert Jones
Virginia to C-Carre
about com̃ing to settle at
Delaware.
Mar. 13. 1670.

¹ Tobacco.

June. 22th.
1671

Instructions for M^r Walter Wharton Col. MSS.
about Delaware 20: 21
(NYSL)

1. To send mee an Account (by the first oppertunity) of the names & number of the new Planters. 1671
June 22

2. To affix a time by the which all the Patentees are to bee placed vpon their Land & make their Improvements.

3. To draw a Cart of their Land & how the Plantaçons are seated.

4. What publique Improuement may bee made thereabout either by land or sea.

5 What sort of Gouernment will best suite with them when seated either as to Ecclesiastick, or Civil matters, in point of Formalities.¹ In the meane time That they haue one of the Law Bookes, confirmed already by his R. H^s, & that they conforme themselves to that, as farre as is practicable.

6. How they will secure themselves against any attempt either of Indyans or others, by forming a Militia, & recoñending Military offic^{rs} to mee.

7. What Tract of Land will remaine to invite new Planters besides those that are already Patented.

8. That some person bee appointed to vndertake the collecting of the Quitt Rents for the which a Consideraçon shall bee allowed for the whole Ríver.

9. To view & enquire where the best & most convenient place or places will bee to fix one or more Townes.

10. Whether to associate with those already seated at the Whore Kill bee not best, to strengthen their party.

In a particular direction, Concerning a certaine Tract of land which I have taken vp in Delaware River, of which

¹ The remainder of the paragraph from this point is an insertion in the same hand on the second page of the original manuscript.

Col. MSS. you shall have scituacon, & heads of the Patent out of the
 20: 21
 (NYSL) Records, That you make a Survey thereof, & send mee a
 draught of it.

1671
 June 22

Endorsed:

Mr Whartons
 Instructions.
 1671

To be Ent^d

No. XXXVI.

GRAVESEND AND NEW UTRECHT — LAND
 CONTROVERSY.

Deeds
 2: 7
 (Sec. State)

At the Generall Meeting of the Deputyes
 of Long Island, held before the Governour
 at Hempsteed March 3^d 1664.

Gravesend }
 New Utricht }

1664/5
 Mar. 3

It is this day Ordered, That the matters in difference
 betweene the Townes of Gravesend and New Utricht,
 about a certaine Parcell of Land, formerly the Lands
 of Robert Pennoyer, the one deriving a Title from George
 Baxter, as Purchaser from the said Pennoyer, the other from
 Aram Huttum Claiming a former Purchase of the same Land
 from Wifftm Goulding Employed by Pennoyer to dispose
 thereof; The respective Titles betweene Baxter and Huttom,
 shall bee left to the decision of a Tryall at Law in the next

Court of Sessions or Assizes; And there being likewise another difference betweene the said Townes, about a Parcell of Meadow Ground (called y^e ffly Lands) It is also Ordered, That Gravesend do take possession of the said Meadow Ground, as of right belonging unto them, and that the Inhabitants of the Towne of New Utricht, do forbear the giving any hinderance or molestacōn, to the said Towne of Gravesend, in their Enjoying the same.

Deeds
2:7
(Sec. State)
1664/5
Mar. 3

Richard Nicolls.

No. XXXVII.

HAVEN MASTER OF THE PORT OF NEW YORK —
EMPOWERED TO ARREST AND ATTACH.

Phil^p Johns his Com^{on} for Haven Mast^r

C. A.
2:654
(NYSL)

Francis Lovelace Esq^r &c Whereas a Haven Mast^r is necessarye & convenient to be employed in this Port in goeing on board all Sloops & Vessells ariving & comeing to an Anchor before this place, As also to visitt & search all Ships before their departure to see if they haue made their dispatches in due ord^r according as is directed in that behalfe, To y^e end y^e Same may be accordingly put in Execution, I haue thought fitt to nominate & appoint Philip Johns to be Haven Mast^r of this Port, who is from tyme to tyme to goe on board all Ships & Vessells upon their Arivall, & to take an Account from whence every Such Ship or Vessell shall come & whith^r she is bound, as also y^e quality of her Lading, & that he acquaint y^e Mast^r that he must not breake bulke or Land any Goods before due entry be made of y^e

[1671
March]

C. A.
2:654
(NYSL)

[1671
March]

said Ship & goods respectiuey, As also that he imediately giue an Account thereof to me, or whome I shall appoint for that purpose, And y^e said Haven Mast^r is not to ~~ph~~mitt or Suffer any Ship or Vessell to departe this Port, before the Mast^r hath cleared his said Ship & goods, & doth procure a Certificate und^r y^e hands of y^e principall officers of his Ma^{ties} Customes wthin this Government, or their Deputye or Deputyes, that he hath paid & satisfyed all dutyes according to ord^r. And for what y^e said Haven Mast^r shall do in prosecution hereof this my Comission shall be to him a sufficient warrant. Given und^r my hand & Seale at ffort James in New Yorke this [blank] day of [blank] in y^e [blank] yeare of his Ma^{ties} Raigne Annoq³ Dñi 16[blank]¹

[Francis Lovelace.]

No. XXXVIII.

NEW YORK CITY—SYLVESTER SALISBURY *vs*
FREDRICK GIJSBERTSEN, IN REGARD TO
CONFISCATED HOUSE IN STONE STREET.

Patents
3:9
(Sec. State)

A Confirmation Graunted to Capⁿ Sylvest^r
Salisbury for a certaine house & Lott of
Ground wthin this Citty.

1668
April 8

Richard Nicolls Esq^r &c Whereas there is a certaine house & Lott of Ground wthin this Citty scituate lying & being in y^e Brewers or y^e Stone street haueing on y^e West syde thereof M^r Oloff Stevens van Cortlandts one of y^e Aldermen of this Citty, & on y^e East syde Frederick Lubertsens con-

¹ The probable date of this commission is early in March, 1671.

teyning in breadth on y^e South syde before towards y^e street
 fower Rod & fue Inches & on y^e North syde behynde three
 Rod six foot & Two Inches In Length on y^e West syde
 Tenne Rod one foot & a halfe & on y^e East syde Ten Rod
 six foot & a halfe w^{ch} said house & Lott of Ground wth all
 their appurtenances stands forfeited & confiscated to his
 Mat^{ies} use by an Act of this Governm^t bearing Date y^e
 Tenth day of October 1665 as belonging to a Subject of y^e
 States Gen^{rl} of y^e United Belgick Provinces then in Warre
 & open Hostility ag^t his Ma^{tie} Now Know yee that for &
 in Consideration of 100 good and merchandable Beaver
 Skins receiued & paid unto me for y^e use of his Royall
 Highnesse y^e Duke of Yorke Lord Proprietor of theise
 Territoryes by Captaine Sylvest^r Salisbury who came over
 wth me & is now Actually in his Ma^{ties} Seruice as Ensigne
 to his Royall Highnesse y^e Dukes Company of foot, & for
 diuers oth^r good causes me thereunto especially moving By
 vertue of y^e Commission & Authority unto me giuen by his
 said Royall Highnesse I haue thought fitt to give graunt
 bargaine & sell & by theise p^rsents doe giue graunt bargaine
 sell ratifye & confirme unto y^e said Silvest^r Salisbury his
 heires or Assignes th^afore recited house Lott of Ground
 & p^rmisses wth all & singular their appurtenances To haue
 & to hold &c The Patent is dated y^e 8th of Aprill 1668.

Patents
3:9
(Sec. State)

1668
April 8

An Ord^r about y^e Difference between
 Cap^t Salisbury, & ffredrick Gijsberts.

G. E.
4: 136
(NYSL)

At a Councell held at Forte James
 y^e 17th day of May 1672.

1672
May 17

The Matt^r in difference between Cap^t Sylvest^r Salisbury
 & ffredrick Gijsberts, haveing long depended, It being about

G. E.
4: 136
(NYSL)

1672
May 17

Rent claymed by Cap^t Salisbury from y^e said ffredrick Gijsb^{rt}s for a certaine confiscated House in the Stone-Street graunted by Governo^r Nicolls to y^e said Cap^{tn} Salisbury; The Premisses being taken into Consideraçon, Its adjudged that y^e Rent of y^e said House is to bee paid to Cap^t Salisbury from the time of y^e Publicaçon of y^e Confiscaçon thereof, although before y^e Date of his Patent, In regard it's thought to bee y^e Intent of y^e late Governo^r, & the Tenant ought not to pay the Rent after y^e said Publicaçon to any other then whom the Governo^r should direct

By Ord^r of y^e Governo^r
and Councill.

No. XXXIX.

BROOKLYN — DEBTS CONTRACTED IN BUILD-
ING A HOUSE FOR THE MINISTER.

G. E.
4: 12
(NYSL)

A Discharge for M^r Adrien Heggeman
concerning his Acco^{ts} about y^e Minist^{rs}
House at Breucklin.

1671
Aug. 10

Whereas Adriaen Heggeman being heretofore Schout of Breucklyn dureing y^e Dutch Governm^t, did together with Albert Cornelijssen & other y^e Schippens of that Dorpe by y^e Consent of y^e Governo^r then in being cause a Rate to be made for y^e raiseing of a certaine Summe of Money upon y^e Inhabitants there for y^e building and Erecting a House

for y^e Minister, w^{ch} accordingly They did, but did not collect y^e whole Summe, many delaying or refusing to pay y^e same, and although by y^e altera^{ti}on of y^e Governm^t y^e said Schout & Schepens are long since dismiss^t of their Employ^m^t, yet are lyable to pay for y^e worke about y^e said House, and have by y^e Court of Constable and Overseers been Condemned soe to doe, although they have noe power to constraine y^e Persons in Arreare to pay their propor^{ti}ons, w^{ch} although it be for a publi^q worke, yet without Reliefe had therein is like to redound to their particular Losse & Detriment, haveing taken y^e p^rmisses into serious consideration I have thought fitt by and wth y^e advice of my Councill to Order and appoint y^t y^e Judgment of y^e Court of Constable & Overseers against y^e said Adriaen Heggeman & others upon this Accompt be made null, and that hee y^e said Adriaen Heggeman, Albert Cornelijssen, & those concerned wth him giving in an Accompt to y^e Constable & Overseers of what they have receiv'd, & what is in Arreare they shall be clearely acquitted & discharged from any further Trouble hereupon; And y^e Constable & Overseers of Breuklyn are and shall be hereby invested in y^e same Power w^{ch} heretofore y^e said Schout and Schepens had to Levy y^e Su^mes of Money in Arreare, upon y^e Persons or Estates assessed if to be found; But if y^e Summe intended to be risen shall come short (diverse of y^e Inhabitants being either dead or removed) the said Constable and Overseers have power to make a New Rate for y^e Remaind^r upon y^e whole Towne; And for soe doeing this shall be their Warrant. Given under my Hand and Seale at Forte James in New Yorke this 10th day of August 1671.

G. E.
4:12
(NYSL)

1671
Aug. 10

ffran: Lovelace

No. XL.

WEST INDIA COMPANY — DEBTS.

C. A.
2: 540
(NYSL)

M^r Thomas Lovelace & M^r Paul
Leendertsē appointed Collecto^{rs} &
Receiuers of y^e Debts belonging to
y^e West India Company in theise
his Royall Highnesse Territoryes.

1670
May 29

Francis Lovelace Esq^r &c Whereas by severall Acts made in y^e tyme of my Predecessor Co^m. Richard Nicolls an Arreast & confiscation was put upon y^e whole Estate of what nature or kinde soever belonging or in any wise apperteyning to y^e West India Company of Amsterdam wthin theise his Royall Highnesse his Territoryes, In one of w^{ch} said Acts there was a penalty to be imposed of double y^e value of any Summe of money Goods or debts w^{ch} by any person should be concealed Ten dayes after publication thereof, Notwithstanding w^{ch} diuers persons do still p^rsume to keep in their hands, seuerall Goods effects Debts or Summes of money due to y^e said West India Company or to some others in trust for them wthout giving any Account for y^e same & there being likewise many others who by vertue of y^e Articles of surrender Do lay clayme to seuerall Summes of money due or p^rtended to be due from y^e said Company to them, To y^e end y^e former Acts may y^e more duely be put in Execution & all lawfull Debts be satisfyed & discharged, I haue wth y^e advice of my Councell thought fitt to ord^r & appoint & by theise p^rsents do order nominate & appoint yo^u M^r Tho: Lovelace & m^r Paul Leenderts to be Collecto^{rs} & Receiuers of all goods effects or Debts belonging to y^e said West India

Company wthin theise his Royall Highnesse his Territoryes in whose hands soever they shall happen to be whose receipt for what shall be so Collected & received by them shall be to y^e Person of Persons who shall pay y^e same a sufficient discharge, & such goods or effects they are to keep & secure untill such tyme as I shall receiue directions from his Royall Highnesse touching y^e same & giue my further ord^{rs} there-upon how & to what use y^e said Estate shall be disposed, And all Persons wthin this Governm^t are hereby in his Ma^{ties} name strictly required & injoynd to observe & obey this Proclamation & ord^r & to make discouery of their knowledg of any Concealment of y^e p^rmisses as they will answer y^e Contrary at their utmost perills. Given und^r my hand & sealed wth y^e Seale of y^e Province this 29th day of May in y^e 22th yeare of his Ma^{ties} Raigne Annoq^{ue} Domini 1670.

C. A.
2:540
(NYSL)1670
May 29

[Francis Lovelace.]

No. XLI.

NEW YORK CITY—EXPORT OF WHEAT.

An Ord^r strictly Prohibiting y^e Exportation
of Wheate out of this Province, for one yeare.

C. A.
2:660
(NYSL)

Whereas I am Credibly Informed that there is a generall Scarcity of wheate throughout this Province, & aft^r strict inquiry & Examination made by y^e Mayor & Aldermen of this Citty, it hath beene found, That there is so small a quantity, that it will be scarcely sufficient for y^e necessary Supply of y^e Government & y^e Ships & Vessells that may arive here

1670/1
Mar. 9

C. A.
2: 660
(NYSL)

1670/1
Mar. 9

to this Port, I haue therefore by & wth y^e Advice of my Councell thought fitt to order & by these p^rsents do ord^r & require that y^e Officers of y^e Customes do not passe any Bill or Bills of Lading to any Mast^r or Mast^{rs} of Ships Sloops or Vessells for y^e Exportation of any Wheate in Graine, from & after y^e date hereof for this Ensueing yeare, without Speciall warrant first obteyned under my hand & Seale, und^r y^e Penalty of forfeiting all y^e Said Wheate & double y^e value thereof for Contempt; Always provided that this ord^r do no way restraine any p^{er}son of p^{er}sons from transportation of fflower made of Wheate bread or Biskett for y^e use of Merchants or others who are or may be engaged to make paym^t therein but only of wheate in Graine. Given und^r my hand, & sealed wth y^e Seale of y^e Province this 9th day of March 1670.

[Francis Lovelace.]

C. A.
2: 695
(NYSL)

Answ^r to y^e Petiçon y^t was p^rferred by diverse of y^e Inhab^{ts} of N: Yorke for to have y^e Prohibiçon about Corne repealed.

1671
May 23

Whereas a^r Petiçon hath been p^rsented unto mee by diverse of y^e Inhabitants of this City wherein they make it their Request that the late Prohibiçon of y^e Transportaçon of Corne may be repealed, for severall reasons by them given in, Upon due Consideraçon had hereupon, I have by & wth y^e advice of my Councell thought fitt to Ord^r & Appoint, That in regard y^e said Prohibiçon was soe lately made, & when it was was publicly p^{ro}posed at y^e Court of Mayo^r & Aldermen of this City, noe Objection was made against it, for y^e p^rsent y^e s^d Ord^r of Prohibiçon is to remaine in force; But for y^e better Satisfacçon of y^e Peñ^{rs}, Enquiry shall be

made by y^e Justices of y^e Peace at y^e Courts of Sessions to be held in y^e Month of June next upon Long Island, what y^e geñ^{ll} pbability or Likelyhood is of y^e Plenty or Scarcity of Wheate Corne y^e yeare ensueing, & likewise in y^e meane time y^e Mayo^r & Aldermen of this City are to examine how y^e Stock of Corne in Store is like to hold out for this p^rsent yeare, upon Reporte whereof made unto mee, such Order shall be taken therein as will tend most to The Publique Good. Given under my Hand at fforte James in New Yorke this 23th day of May in y^e 23^d yeare of his Ma^{ties} Reigne Annoq̃ Dñi. 1671.

C. A.
2: 695
(NYSL)

1671
May 23

[Francis Lovelace.]

Liberty given to John Schout, & Laurens
Sluijsen to carry some Wheat to
Milford to bee ground.

G. E.
4: 164
(NYSL)

Vpon y^e Request of John Schoute, & Laurens Sluijsē, That they may have Liberty to carry two hundred Scheples of Wheat in their Sloope y^e Hope to y^e Mill at Milford, In regard all y^e Mills hereabout are at this present employed by y^e Bakers to grinde great quantyies of Corne, I have thought fitt at this particular juncture of time to graunt their Request; Provided, That they give Security to y^e Collector of y^e Customes, that they shall bring back in floure or Meale the whole Produce of y^e Corne they carry out; Of y^e w^{ch} the Haven Master is to make Inspection; But if it shall bee made appeare, that they doe fraudulently convey the Corne elsewhere, then they shall bee lyable to such Censure & Penalty as in y^e Act of y^e Last Gen^{rl} Co^{rt} of Assizes touching y^e Prohibiçon of y^e Transportaçon of Corne is sett forth. Given &c: at fforte James N: Yorke this 8th day of July 1672.

1672
July 8

[Francis Lovelace.]

G. E.
4: 194
(NYSL)

Lycence for M^r W^m Darvall to transport
six-hundred skeple Wheat to Milford
Mill to bee ground.

1672
Aug. 23

Vpon y^e Request of M^r W^m Darvall of this City Merch^t,
that in regard hee cannot for his present Convenience bee
accomodated in the grinding of his Corne at the Mills within
this Governm^t, some being out of Order, & others already
full or bespoken by others for Grindeing, hee may have
Liberty to transporte a certaine quantity of Corne in a Sloope
to be ground in the Mill at Milford; hee engaging to have the
whole quantity or Produce of what shall bee carryed out by
him to bee brought back againe hither in ffloure or Meale,
I have thought fitt to grant his Request; And the said M^r
Darvall hath hereby Liberty to transporte from hence to
Milford in the Sloope Hunter, John Pietersen Master six
hundred Scheple of Wheate, there to bee ground as afore-
said; And for soe doing this shall bee his Warrant. Given
under my Hand at fforte James in New Yorke this 23^d day
of August 1672.

[Francis Lovelace.]

No. XLII.

HUDSON RIVER — REGULATION OF TRADE AND
SHIPPING.

C. A.
2: 559
(NYSL)

No Stranger or Strange Vessell permitted
to Trade up to Albany or Sopez wthout
paying y^e Dutyes required here.

1670
June 27

Whereas It is Represented unto me by y^e Mayo^r & Alder-
men of this Citty that it proves a very greate Inconvenience

to y^e Inhabitants here that diuers Strangers & strange Vessells no way Related to this Place or Province doe frequently go up Hudsons Ryver to Esopus & Albany there to trade & traffique Contrary to former Constitutions & customs in such Cases provided, It is this day ordered, That no Stranger or Strange Vessell shall be permitted from & aft^r y^e Date hereof to passe up y^e said Ryver to eith^r of y^e places aforesaid there to trade or Traffique upon any p^rtence whatsoever, However such Vessells unloading their goods in this Citty & paying y^e Dutyes required, the Owners of such goods haue liberty to transport them into theise parts in any oth^r Vessells belonging to this Port, & may go up themselves wth leaue to negotiate there, hauing first obteyned y^e Priviledg of being free Burgers of this Citty. Given und^r my hand at ffort James in New Yorke this 27th day of June in y^e 22th yeare of his Ma^{ties} Raigne Annoq³ Domini 1670.

[Francis Lovelace.]

C. A.
2: 559
(NYSL)1670
June 27

No strang^{rs} or Strange Vessells p^rmitted to go up y^e North Ryver to Esopus or Albany.

C. A.
2: 659
(NYSL)

Whereas I haue Rec^d a Petition from diuers of y^e Inhabitants of this Citty & Province, who trade in Sloops & small Vessells, That no Strangers or Strange Vessells may be p^rmitted to go up y^e North Ryver to Esopus or Albany concerning w^{ch} there hath an ord^r beene formerly made, I Have therefore thought fitt by y^e Advice of my Councell that y^e former ord^r bearing date y^e 27th day of June last be revived, & stand in force to all Intents & purposes, & that no p^rson or p^rsons do p^rsume to transgresse herein at their p^rills, of w^{ch} y^e Officers at y^e Custome house are to take a Strict & Exact Account, Given und^r my hand at ffort James in New Yorke this 9th day of March 1670.

1670/1
Mar. 9

[Francis Lovelace.]

No. XLIII.

SOUTHAMPTON, SOUTHOLD, ETC.— REFUSE TO
RENEW THEIR PATENTS.C. A.
2:663
(NYSL)The Governo^{rs} Com^{on} to Tho. Delavall
Esq^r M^r Mathias Nicolls Sec^r. & M^r
Isaack Bedlow. &c.1670/1
Mar. 9

Francis Louelace Esq^r &c fforasmuch as there is not a right understanding betweene diuers of y^e Inhabitants at y^e East end of Long Island, & y^e Governm^t Established in theise parts by Authority of his R. H^{ss} wheth^r occasioned by y^e distance thereof from this place, or some ill mynded people who take delight to breed disturbance & to infuse ill principles into y^e myndes of his Ma^{ties} good Subjects I Have therefore thought fitt to constitute & appoint & by this my Com^{on} do hereby constitute & appoint; Thomas Delavall Esq^r Mayo^r of this Citty & one of y^e Councell Mathias Nicolls Esq^r Secretary, & one of y^e Councell, & M^r Isaack Bedlow to be Com^{rs} to inquire & Examyne into all or any matter of Publique difference or concerne in y^e Townes of Southiton Southold & Easthampton, or any of y^e Townes in their way thither, to w^{ch} end they are hereby authorized to send for any person or persons concerned, & as occasion shall require for y^e better discovery of y^e truth to administ^r an oath to them, (w^{ch} oath they haue hereby authority to giue) & to prosecute this my Com^{ission} according to y^e Instructions herewth sent, And in Case any resistance or disturbance be giuen to y^e said Com^{rs}, they haue hereby full power & Authority to raise any or such number of y^e trayned Bands for their Assistance, as they shall Judg

necessary for y^e p^rservation of y^e Peace, in w^{ch} all Officers are to giue their best ayde, And for what they shall herein lawfully Act or do this my Com^{on} shall be to them a sufficient warrant. Given und^r my hand & Sealed wth y^e Seale of y^e Province this 9th day of March 1670.

C. A.
2:663
(NYSL)

1670/1
Mar. 9

[Francis Lovelace.]

The Governo^{rs} Lre to y^e Inhabitants
of Southton.

C. A.
2:661
(NYSL)

Gentlemen

Having lately receiued a Lre of y^e 15th of ffebruary from your Towne of Southampton Subscribed by many of y^e Inhabitants of it in Answer to an order of y^e last Gen^{rl} Court of Assizes¹ held at New Yorke w^{ch} injoynd all Townes & perticuler Planters to take out Pattents for y^e confirmation of their rights according to y^e Law made at y^e Gen^{rl} meeting at Hempsteed & since confirmed by his R. H^{ss} w^{ch} Letter of yours consisting of Severall reasons (as you p^rtend) why your Towne should be Exempt from any such injunction w^{ch} argum^t of yours being taken into Serious consideration by my selfe & Councell; I haue thought fitt (at p^rsent) to retorne this in Answer, That in regard of y^e distance of place & y^e avoyding all prolixity w^{ch} would inevitably ensue should theise disputes be managed by wryting, I haue therefore thought it more conducing to begett a true understanding of yo^r sence to authorize Some Com^{rs} who shall heare & freely debate arguments wth yo^u & to rend^r me an Account of y^e Results of your further determinations, & y^e rather in regard I haue desired libertye of his R. H^{ss} to visitt my natieue Soyle this Sum^r (w^{ch} if obteyn'd) I may then y^e better haue an oppertunity to represent y^e true State of this affaire. You

1670/1
Mar. 9]

¹ The section referred to is evidently *Court of Assizes*, vol. 2, pp. 231-232.

C. A.
2:661
(NYSL) may perceiue by this how unwilling I am to apply any harsh
medicaments where I hope lenitives may prevaile, I haue no
more but referre y^e whole managem^t of y^e affaire to those
[1670/1
Mar. 9] Com^{rs} I haue authorized thereunto not doubting but of a
good understanding & issue of it & so I remaine

Yo^r Loving freind

Fra: Louelace.

I heare yo^u haue made already a Succesfull
progresse in yo^r whale fishing, w^{ch} I wish may
be continued to yo^r greate satisfaction, but
wthall that yo^u obserue that Golden Rule of
y^e Apostle w^{ch} is, Be not high mynded but feare.

No. XLIV.

KINGSTON, HURLEY, MARBLETOWN—REGULA-
TION OF COURTS, MILITARY AFFAIRS, ETC.

C. A.
2:676
(NYSL)

Commission for Capt Tho: Chambers
to be Justice of y^e peace.

1671
Apr. 26

Whereas I have conceived a good Opinion of the Ability
& Integrity of You Thomas Chambers of ffox-Hall in
Esopus for y^e carrying on of publique Affaires, I have there-
fore thought fitt to Constitute & appoint You to be Justice
of y^e Peace in all y^e Townes at Esopus and Plantaçons,
givinge you full power & Authority to Execute all such
Lawes as already are or hereafter shall be made for y^e good
Governm^t of these his Royall Highness his Territories;

Hereby willing & requiring you to discharge yo^r Duty as a Justice of y^e peace ought to doe: & to Observe such Rules & Instructions from time to time as you shall receive from mee concerning the same. And all other persons within this Governm^t are strictly charged & required to take notice hereof; & to beare Respect & give Obedience unto you in y^e performance of yo^r Office of a Justice of peace appointed by Authority of his Royall Highness. Alwayes provided that this Commission doe not extend to y^e takeing away or diminishing the usuall Authority & course of Judicature now in being administred in y^e Towne of Kingston by y^e Schout and Commissaries there. Given under my Hand & Seale at ffort James in New Yorke this 26th day of Aprill in y^e 23^d yeare of his Ma^{ties} Reigne. Annoꝝ Dñi. 1671.

C. A.
2:676
(NYSL)

1671
Apr. 26

[Francis Lovelace.]

A Lre from y^e Governo^r to y^e Mayo^r of y^e City.¹

C. A.
2:677
(NYSL)

M^r Mayo^r:

You being one of y^e Councill, & well known in all y^e publique Affaires at Esopus & Albany whether yo^u are now takeing a Voyage, I shall not need to give yo^u any particular Instructions, but referr all matt^{rs} of that nature w^{ch} shall come before you there to yo^r prudent Managem^t; of w^{ch} at yo^r Returne I shall expect an Acco^t. Soe wishing you a prosperous & speedy Voyage; I remaine

1671
Apr. 28

S^r

New Yorke

Apr: 28th

1671.

Yo^r very Lov: Friend.

Fran: Louelace.

¹ Captain Thomas Delavall.

G. E.
4:19
(NYSL)

Instructions for Captⁿ Delavall at his going
to Albany. June y^e 28th 1671.

1671
June 28

These are to desire & Authorize you at yo^r being at Albany, Esopus, or parts adjacent, that in all Cases of Emergency relateing to y^e Publique, you call to yo^r Assistance Captⁿ Willett, Captⁿ Salisbury, & y^e Co^mmissaryes if at Albany & y^e Chiefe Offic^{rs} of y^e place if at Esopus; Amongst whom you are to p^rside in all Consulta^õns; And that you Act & doe according to y^e best of yo^r Judgm^t in all Matt^{rs} relateing to his M^a^{ties} Service, & y^e good Governm^t of these his Royal Highness Territoryes; Off w^{ch} as Occasion shall require you are to give mee speedy Notice; And for what you shall herein lawfully Act or doe this shall be your Warrant and Discharge. Given under my Hand at fforte James in New Yorke this 28th day of June in y^e 23th yeare of his M^a^{ties} Reigne. 1671.

Fran: Louelace

G. E.
4:60
(NYSL)

Orders for y^e Regulating of y^e Civill
& Military Affayres at Esopus.

1671
Oct. 25

1. Inprimis. That Cap^t Chambers Command y^e Militia at Kingston, and Cap^t Pawling Command y^e other Company at Hurley and Marbletowne.

2. That for exercizing y^e said Militia both private and Geñ^{rl} they follow y^e p^rscription of the Booke of Lawes in that Case Establish^t; And soe likewise for ffining of Delinquents, p^rserva^õn of Armes, Ammuni^õn &c:

3. That every Towne in y^e Administra^õn of Justice follow y^e Rules of y^e Lawes already sett forth, That is to say,

That each Towne shall determine definitively all Actions under ffive pound according to y^e Lawes of Towneshippes.

G. E.
4:60
(NYSL)

4. That there shall bee a Cō^{rt} of Sessions held each halfe yeare at Kingston, which shall determine all Actions whither Criminall or other (not extending to Death) & inflict punishm^{ts} according to the Merritt of y^e ffact, whither on Christians or Indyns; And for Matt^{rs} Civill as other Co^{rts} of Sessions doe here hold and Determine; wth this Provisoe That any party aggrievd may have like Liberty to Appeale to y^e Geñ^{rl} Court of Assizes held at New Yorke.

1671
Oct. 25

5. The Persons that are to sitt at y^e Cō^{rts} of Sessions shall bee Cap^t Chambers, Justice of y^e peace who is to p^rside as Presid^t y^e Schout of Kingston, & Elect Commissary, Cap^t Pawling for Marbleton, Albert Heyman^s for Hurley, & the Eldest Commissary at Kingston.

6. That in regard y^e Traffick at Esopus consists chiefly in Corne w^{ch} Invites Merchants from this City of New Yorke to repaire thither to Negotiate wth y^e ffarmers, and that it may often happen out soe that some difference ariseing above y^e determinaçon of Towne Courts, soe that the Merchant according to y^e ordinary Course of Justice must be Constreyn'd to attend y^e Sessions, w^{ch} may prove prejudiciall to his Affayre by y^e approaching of Winter, or any other Intervening Lett or hindrance; ffor p^rvention thereof It may be lawfull for any Person at any other time to Cause a Speciall Court to be call'd (as a Court of Sessions) the Person being at y^e Charge that convenes it; And all Actions soe determined there shall bee Esteemed as Effectuall as if it had past at y^e Court of Sessions held at their usuall Seasons.

Francis Louelace.

Octob^r 25th 1671.

No. XLV.

DELAWARE AFFAIRS — THE WHOREKILL, CAP-
TAIN MARTIN CREIGER, MILLSTONES,
SLOOP OF JAN DE KAPER.

Col. MSS.
20:13
(NYSL)
Dutch

[Expense Account in the Search for the Sloop of Jan
de Kaper.]

[1670
October]

Reckening van onkosten
gedaen van Hendrick de
Backer ẽ anderen hier van
dan gesonden, naer t' verne-
men van t' Jacht van Jan de
Kaper.

Hendrick de Backer voor
eerst naer t' Jacht te soecken,
uijtgegeuen, aen de wilden,

6 vaem Sewant. . . . f 12#

$\frac{5}{4}$ duffels. f 15#

$\frac{3}{4}$ ƛ Cruit. f 4#

Noch bij accort be-
dongen. f 300#

f 330

Noch aen Jan Boeij-
er beloft. f 128#

458f

Reckening van Harmanus
in gebrocht vor d. gejn-
terrede van t' Jacht van Jan de
Kaper: 13 elle duffels voor

Translation:

Account of expenses of
Hendrick de Backer and oth-
ers sent from here to inquire
after the sloop of Jan de
Kaper

Hendrick de Backer, in
looking for the sloop, first
paid to the Indians

6 fathoms of seawant. f 12—

$\frac{5}{4}$ [yards of] duffel. f 15—

$\frac{3}{4}$ lb of powder. . . . f 4—

Also stipulated by
agreement. f 300—

f 300—

Also promised to Jan
Boeijer. f 128—

f 458—

Account handed in by
Hermanus for those interested
in the sloop of Jan de Kaper
13 yards of duffel for 4 loads

4 drachten goet door de wilden in d. Hoere kil gedragen, van dito Jach[t] de eel gereckent op f 12# f-156— f-458— Summa f 614#—	<i>Translation:</i> of goods carried by the Indians from the said sloop to the Whore kill, a yard counted at f12.....f 156— f 458— Total f 614—	Col. MSS. 20:13 (NYSL) Dutch [1670 October]
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{ dito Helmanus brengt noch een reekening in voor zijn particulier bij hem verdient vor verteerde kosten ————— f 24# p ^r Jnuentarij van goederen opgenomen ————— f 20# Noch vor zijn persoon uijt gewest, vor versuijmdt tijt f 200# vor verteerde kosten f 16# Noch aen piter groe ⁿ f —45# f 305# }	welcke Sum in gheen Consideratie genomen wert
---	---

Translation:

{ Said Helmanus hands in also an account of personal charges For expenses..... f 24— For making an inventory of the goods..... f 20— Also for lost time, while.... he was absent..... f 200— For expenses..... f 16— also to piter groe ⁿ f 45— f 305— }	Which amount is not taken into consideration.
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Col. MSS.

20:13
(NYSL)
Dutch*Endorsed:*A bill of Charges
about Jan de Capres
sloope.

1670.

[1670
October]C. A.
2:621
(NYSL)An Ord^r for M^r Peter Alricks to take a
paire of Milstones at y^e Whorekill.1670
Nov. 7

These are to certifye all whome it may concerne that I haue given leaue to M^r Peter Alricks to take a paire of Milstones lyeing in y^e Sand at y^e Whorekill fitt for a Horse mill & belonging to no p^{er}son there y^e w^{ch} he may remove from thence & dispose of at his pleasure, He rendring a due Account to me of y^e Same. Given under my hand at ffort James in New Yorke this 7th Day of 9^{br} 1670.

[Francis Lovelace.]

Col. MSS. [Relation from the Magistrates at the Whorekill concerning
20:10
(NYSL)
Dutch
Jan de Kaper's Vessel.]

Translation:[1671
March
N. S.]

1670 den 20 desemb isser
eē sackamacker van Nassa-
wam bij sachamok wonende
alhier ter plaetse gecomē ē
hebbe hem afgevraecht ofter
niet eē vaertuyg worde
Xnomē tot de Zuijder see
heeft hij mij bericht ē gesegt
daer is een vaertuijg ge-
vondē ant strandt by Cincke-
teck inlaet belangende onder

1670, the 20th of Decem-
ber, a sachem of Nassawam,
living near Sachamok, came
to this place and I asked him
whether a ship had not been
heard of at the South Sea;
he informed me and said
that a ship had been found on
the beach near Cincketeck
Inlet resorting under Mary-
land, so I ordered Henrick

merrylandt soo heb ick hendrick drochstraetē daer na toegaende om te handelē met de wildē belast om daer wel[] na te Xnemē ē is dē 3 Jannawarij weder daer van daen gecomen ē heeft vande wilden Xstaen datter ontrent doe de maijs rijp wordende een vaertuijg was gestrandt ē eene boot vindende hoch inde duijnen gedreven met eenig goet daer in ē datse een doot persoon op 't strandt hebben gevonden met noch Xscheydene kisten die uijt het Jacht waerē gespoelt ē het vaertuijg lach noch in t Water in t stuckē tegen de wal ē met eenen de boot Toonende de welc[ke] de wilde in het binnen water haddē gewerckt ē tot an sackamock gebracht als oock het wapē van 't Jacht de Jonge prins ē Dito Hendrick is doen van hier Xtrockē na Ny Castel om daer tijding an te brengē van t Jacht den Jannawarrij isser een Wilt gekomē van sackamock seggende daer is noch bevers

Translation:

Drochstraeten, who went there to trade with the Indians, to make careful inquiry about it. He returned thence on the 3d of January and understood from the Indians that about the time when the maize was getting ripe a vessel was stranded and that a boat was found cast high upon the dunes, with some goods therein, and that they found a dead body on the beach together with various chests which had been washed from the sloop, and that the vessels was still lying in pieces in the water close to the shore, and that they showed him the boat which the Indians had hauled to the inlet and brought to Sackamock, as well as the arms of the sloop *de Jonge Prins*; and the said Hendrick thereupon went from here to New Castle to bring tidings about the sloop. The 4th of January an Indian came from Sackamock saying: "There are yet more beavers and some other

Col. MSS.
20:10
(NYSL)
Dutch

[1671
March
N. S.]

Col. MSS.

20:10

(NYSL)

Dutch

[1671
March
N. S.]

ẽ eenich ander goet Comt ẽ
haelt het want de engelse
willen komẽ ẽ nement wech
waer o^x pieter gronendick met
Herman Cornelisz is daer
na toe gegaen ẽ hebbẽ bevers
ẽ goet daer van daen gehaelt
het welck op den Inventarij
kan blyckẽ

dẽ 29 Jannawa^r is hendrick drochstraetẽ wederom van Nij Castel gearriveert met ule swensẽ ẽ Jan boeijer om na de wilden te gaen om na het volck vande sloep te *W*nemen heb als doẽ eenẽ Brief ontf van Cap^t John Car Wiff Thom pieter alrichs onderteeckent *W*soeckende an mijn omme met dese personen daer na toe te gaen het welck ick oock volbrackt hebbe soo als wij aldaer quamen soo hebben wy de wilden ondervracht de wilde segten datse 2 dagẽ na den Storm waeren na de plaets toegevaerẽ om te gaen oster[en] soo hebbense het Jacht aldaer gebrockẽ an't strant sien leggen ẽ de boot inde duijnen ẽ eẽ doot

Translation:

goods; come and get them, for the English will come and take them away." Whereupon Pieter Gronendick and Herman Cornelissen went there and took the beavers and goods from thence, as may appear from the inventory.

The 29th of January, Hendrick Drochstraeten returned from New Castle with Ule Swensen and Jan Boeijer to go to the Indians to inquire after the people of the sloop. I received then a letter signed by Capt. John Car, Wiff Thom [and] Pieter Alrichs, requesting me to go thither with those people, which I did. As soon as we arrived there, we questioned the Indians. The Indians said that two days after the storm they paddled to the place to go oystering, and so saw the sloop lying broken on the beach, and the boat high upon the dunes, and a dead body washed ashore, of tall stature, with brown hair and a very big belly. We

Lichaem an strandt gespoelt lang van posteur brun haijr ã eẽ heele dicke buijck wij Xsochten eẽ wilt met eẽ Canoe om daer na toe te gaen het welck de sack-[amacker] toestont 1 1/2 vaem swart Zeewant gingẽ ontrent 2 duijtse my[lẽ] verder op eene plaets genamt Sinckoachkinck ã dewiel het heel kout was ã Harde N W wint ã durfdẽ inde Canoe niet avontuerẽ moestẽ alsoo 7 dagẽ onder de wilden Xslijtẽ door dien het water toevroes het welck wel 3 duijtse breet oʒ is soo naderhandt ã wilde de wilt die wy gehuert haddẽ niet meede ã wij niet langer ã Condẽ blijvẽ namẽ een Canoe vande Wilden om weder ande vaste wal te komẽ brackẽ door 't ys ã als wij in de middẽ quamẽ was het opẽ door de S' windt dieder op quam waer oʒ wij in groot perykel waerẽ want het ys quam van eene syde met de eb ã de ander Syde met de wint tegen de kano quamẽ

Translation:

asked for an Indian and a canoe to go thither, which the sachem granted for 1 1/2 fathoms of black seawant; we went about two Dutch miles further to a place called Sinckoachkinck and, as it was very cold and there was a strong N. W. wind, we dared not venture any further in the canoe and were obliged to waste 7 days among the Indians, during which the water, which is about three Dutch miles wide, froze over. Afterwards, the Indian, whom we had hired, would not go with us, and, as we could not stay any longer, we took a canoe from the Indians to return to the main land; we broke through the ice, and when we reached the middle it was open, on account of the south wind which came up, and we were in great peril, for the ice came from one side with the ebb tide and from the other by the wind against the canoe; but after much labor we managed,

Col. MSS.
20:10
(NYSL)
Dutch

[1671
March
N. S.]

Col. MSS.

20:10
(NYSL)
Dutch[1671
March
N. S.]

godt lof door veel arbeydens
 noch oʋ doen wy oʋ quamē
 gingen weder by de Voorige
 wilden resolveerden na de
 Engelse tot Bocquetenorton
 te gaen do[or] dat daer de
 boot was want een Engels-
 man had bij de Wil[den]
 geweest ē hadde de boot van
 daen gehaelt om alsoo met
 de boot daer na toe tegaen
 daer wij des anderdachs
 quamē dē 14 feb aldaer
 Vstont ick an eenige Jnwon-
 ders datter sommige van
 haere nabuerē na dat sy
 het vande wilde gehoort
 haddē datter eē vaertuijg
 gestrandt was waerē na toe
 gevaerē ē eenich goet van
 daen gebrocht soo ontmoeten
 ick eē Commissaries van
 pocomock wiens naem is
 James Weedon alhier nu
 inde hoerekil woonachtich
 waer van ick eē warandt
 Vsocht om te Vnemē hoe het
 met vaertuyg ē het goet dat
 gebracht was daer van daen
 ē waer het volck mochte
 belandt sijn de welcke alsoo
 dede ē ginck met de warandt

Translation:

God be praised, to get across.
 When we got across we re-
 turned to the aforesaid In-
 dians. We resolved to go
 to the English at Bocquete-
 norton, inasmuch as the boat
 was there, for an English-
 man had been among the
 Indians and taken the boat
 away; [we decided], there-
 fore, to go there by boat.
 We arrived there the next
 day, the 14th of February.
 I understood from some of
 the inhabitants that some of
 their neighbors, after they
 had heard from the Indians
 that a ship had stranded,
 had sailed thither and brought
 some goods from there. I
 met a commissioner of Pocom-
 mock, James Weedon, by
 name, who now lives here in
 the Whore Kill, whom I
 asked for a warrant to make
 a search for the vessel and
 the goods which had been
 taken from it, and to find
 out what had become of the
 crew, which he gave me.
 With this warrant I went to
 the constable, who at once

na de Constabel de welcke
Terstont met myn ginck van
huys tot huys ē de geene die
wat hadde gevondē Toon-
dent soo sij seyden Toondē
2 Jse boutē van't Jacht eē
ander dry boutē 1/2 ledich
vat waer van noch eē anden
seyde ick 3 gard kerseij
gevondē het welck onder t
sant was gedolven ē een
kleyn Slipien siende haeldent
uyt het water soo alwat daer
wierde getoont is van kleyne
importantie ē vondē de boot
oock aldaer waer van de
sitbanck uyt was het welck
de wildē seydē daer uijt was
doen sy de boot vondē op
de Jnventarij heb ick het
pertinent ges[et] al wat tot
Bocquetenorton is bij yder
man als het weer wat stil
woorden soo royden wy met
de boot vandaen na t rack
om te sien met een wilde
Jonge maer de N O wint
hief op soo dat wij ter
nouwer noot an James onils
eijlandt quamē daer wy door
regē ē wint wierden op
gehoudē royde daer na noch-

Translation:

went with me from house
to house, and those who had
found anything showed it as
they spoke. One showed
two iron bolts of the sloop,
another three bolts and a
half empty cask, while yet
another said that he found
three yards of kersey which
was covered over by the
sand and, seeing a small piece
of it, he pulled it out of the
water; so that all that was
shown to us was of lit-
tle importance. We found
there also the boat, the seat
of which was gone; the In-
dians said that it was lack-
ing when they found the
boat. On the inventory I
have noted in detail every-
thing that is at Bocquete-
norton in each man's house.
When the weather became
somewhat calm, we rowed in
the boat with a young Indian
toward the wreck to examine
it, but the N. E. wind came
up, so that we scarcely
reached James O'Neil's Is-
land, where we were delayed
by rain and wind. Never-

Col. MSS.
20:10
(NYSL)
Dutch

[1671
March
N. S.]

Col. MSS.

20:10
(NYSL)
Dutch[1671
March
N. S.]

tans inde wint daer na toe
 soo als wy daer quamē soo
 gingē wij het strandt wel 3
 duytse mielē langs. vondē
 het Jacht in 't sant bedeckt
 tē deele alle de syde planckē
 vondē wij langs strandt op
 gesmetē ē hier ē daer eē
 stuck van 't deck ē stuckē
 van 't Jacht ē planckē ē
 de spil lagh ontrent eē ur
 gans van Wrack het welck
 dwars tegen de wal leijt maer
 hebbē geen doode lichaem
 noch gebeente Cunnē vindē
 de lieden van Bocquetenorton
 seyden dat sy het doode
 lichaem [niet gesien] ¹ hadden
 maer seyde dat de Wilden
 hadden geseght dat de wolf
 die al Vslondē had het welck
 de wildē oock tegē ons seyde
 als wij se Thiē vaen Zee-
 want met eē deckē presen-
 teerdē datse ons het lichaem
 ofte gebeente soudē wijsē
 seyden de wolf heeft het
 Vslondē ē het Zant of water
 heeft het gebeente bedeckt
 vondē ten laetsten de gieck-
 haeck met eē kort ent houts

Translation:

theless, we rowed thither
 afterwards in the wind, and
 when we came there we went
 along the shore for at least
 three Dutch miles and found
 the sloop partly covered by
 the sand; all the side boards
 we found cast upon the
 beach, and here and there
 a piece of the deck and
 pieces of the sloop and boards
 and the windlass lay about
 an hour's walk from the
 wreck, which lies length-
 wise against the shore, but
 we have not been able to
 find any dead bodies or
 bones. The people of Boc-
 quetenorton said that they
 had [not seen] the dead body,
 but said that the Indians
 had said that the wolf had
 already devoured it, which
 the Indians told us also when
 we offered them ten fathoms
 of seawant and a blanket to
 show us the body or bones.
 They said: "The wolf has
 devoured it and the sand or
 water has covered the bones"
 At last we found the boom

¹ Original mutilated.

noch in het het welck wij
 uijt brandē ē nament mede
 onderwiel dit geruchte in
 merrijlandt waer van de ges-
 trande sloep soo hebbense
 die man Jan deverus van
 bocquetenorton Jn aparentie
 genomē door dien hij by de
 wilde waerts geweest sonder
 kennis van eenē Commis-
 saris Als oock een wilde
 Jonge out ontrent 16 a 17
 Jaerē de welcke Confessen
 dat de wildē veel goet haddē
 gevondē ē geborgē maer als
 na de lord van Merrylandt
 sijngesondē gewordē ē onder-
 socht siende soo Sien deselve
 wederomme vrij gelaetē doē
 wij tot bocquetenorton quamē
 soo waerē sij al in preson
 Voert ē wij ē kondē bij
 de wildē noch engelse eenich
 teckē hoorē of Vnemē van
 mast of Zeijl of Touwerck
 of hoedē want wij ē hebbē
 niet Cunnē vindē eenich
 teckē van mast ofte tou doē
 quamē wij weder tot boc-
 quetenorton soo ordonneerdē
 ick hendrick drochstraetē
 met ule swensē ē Jan boeijer

Translation:

hook with a short piece of
 wood still in it, which we
 burned out, and took it with us.
 Meanwhile, the rumor of the
 stranded sloop having spread
 in Maryland, they appre-
 hended the man Jan Deve-
 rus, of Bocquetenorton, be-
 cause he had been among the
 Indians without the knowl-
 edge of a commissioner, and
 also an Indian youth, of
 about 16 or 17 years, who
 confessed that the Indians
 had found and secured a
 great quantity of goods; but
 when they were sent to the
 lord of Maryland and ex-
 amined, they were set free
 again. When we came to
 Bocquetenorton, they had al-
 ready been put in prison, and
 neither among the Indians
 nor the English could we
 learn or obtain any informa-
 tion as to mast, sail, rigging
 or yard covers; nor could we
 find any sign of either mast
 or rigging. As soon as we
 returned to Bocquetenorton
 I ordered Hendrick Drock-
 straeten, together with Ule

Col. MSS.
 20:10
 (NYSL)
 Dutch

[1671
 March
 N. S.]

Col. MSS.

20:10

(NYSL)

Dutch

[1671
March
N. S.]

datse Weder na de Wilden
soudē gaen ē leverē het
Volck op het geene noch
onder haer mochte wesē ē
't goet dattse noch haddē ē
ick Wtrock van daer na
Manockē om te Wnemē hoe
het met de gevangenē mochte
afloopē door dien de spracke
waer dat de Wilden de
Cristē mochte Wmort hebbē
als ick nu daer quam soo
vont ick de gevangenē maer
daer wiert in Cort noch geē
Court gehouden soo Wtrock
ick weder 't huys Waert maer
heb Wstaē datse zijn o
gevoert na petoxsen maer
weder in vrijhz gestelt

[?] feb ē quam doē weder
't huijs Jan Boeyer met ule
swensē ē Hendrick bleef
noch bij de Wildē ē dē 24
feb Wtrockense vanhier na
Nij Castel en dieselve dach
quamē 2 wildē met goet van
Sackamock de welcke dito
Hendrick door dreygementē
hadde becomē dē 26 feb
quam dito Hendrick self met
noch meer goet en dewiel
Jn merrijlandt ē alhier ter

Translation:

Swensen and Jan Boeijer;
to go again to the Indians to
make them deliver up the
people, who might still be
among them, and the goods
which they yet had, and I
went from there to Manoc-
ken to find out what became
of the prisoners, for there was
a rumor that the Indians
might have murdered the
Christians. When I arrived
there, I found the prisoners,
but no court was to be held
soon and I, therefore, started
for home. I understand that
they were taken to Petoxen
and have been set at liberty
again.

The [?] of February I
came home. Jan Boeyer
with Ule Swensen and Hen-
drick remained yet among
the Indians, and the 24th
of February they went from
here to New Castle, and the
same day two Indians came
from Sackamock with goods,
which the said Hendrick had
obtained by threats. The
26th of February the said
Hendrick came himself with

plaetse' ¶moet wierde dat
het volck van Jan de Capers
sloop moechte ¶mort zijn
soo heb wij majestraetē
alhier ter plaet[se] eē Injurijs
belegt

Translation:

more goods, and inasmuch
as it is believed, in Maryland
as well as here at this place,
that the crew of Jan de
Caper's sloop may have been
murdered, we, the magis-
trates of this place, have
summoned a jury.

Col. MSS.

20:10
(NYSL)
Dutch[1671
March
N. S.]*Endorsed:*

A Relaçon from the
Whore Kill about Jan de
Capres sloop.

1670.¹

[Verdict of Jury at the Whorekill concerning Jan de
Kaper's vessel.]

Col. MSS.

20:10
(NYSL)
Dutch

Dit sy Condich wie het
mach Concerne dat nade-
mael daer was eē suspitie
dat de persoonē van Jacht
de Jonge prins van Ny
Jorck mocht: wesen ¶mort
dewiel sy waerē gestrant on-
trent Jnketeck Inlaet Wij
majestraetē vande Hoerkil
niet Conden de waerhz
¶nemē resolveerdē in ons ē
voor de Extutution [*sic*] van
Justitie hebbē dē eerstē dach

Translation:

Be it known to all whom it
may concern, that whereas
there was a suspicion that
the persons of the sloop *de
Jonge Prins* of New York
might have been murdered,
while they were stranded
near Jnketeck Inlet, We,
the magistrates of the Hoer-
kil, not being able to learn
the truth, deliberated at our
meeting, and for the execu-
tion of justice convened on

1671
March 1
N. S.¹ Or 1670-1671.

Col. MSS.

20:10

(NYSL)

Dutch

1671
March 1
N. S.

van mart 1671 Wsamelt eẽ
somma van Twalf vande
principaelste mannẽ deser
plaetse belangende een wey-
nich goet dat is gesalveert
bij de Indianẽ van Nassa-
wam eẽ alhier gecomẽ eẽ om
te Examineerẽ getuijgenis
concerning deselve Verdite
is als volgt

Dat het selve weynich
geseyde goet deselve doẽ
vindẽ dat het he[ef]t nat
geweest van sout water eẽ
dat bij de Evidences eẽ
Consideratie van andre
Cacanstantes [*sic*] en deselve
Wmoeden is dat het Jacht
is geblevẽ in Zee eẽ het Volck
Wdronckẽ eẽ niet vermoort

Helmanis fr Wiltbanck

Croner

James weedon forman
Jan michiels
pieter gronendick
Antony hansen
pieter hansen
Jacobus klasen
Arian hermsen
Herman Cornelissen
John rods

Translation:

the first day of March 1671
the number of twelve of the
principal men of this place,
in order [to examine] a small
quantity of goods which has
been saved by the Indians of
Nassawam and brought
hither, and to consider testi-
mony concerning the same;

The verdict is as follows:

They find that the said
small quantity of goods had
become wet with salt water
and that, upon the evidences
and consideration of other
circumstances, their opinion
is that the sloop kept asea
and that the crew was
drowned and not murdered.

Helmanis Fr Wiltbanck

Coroner

James Weedon Foreman
Jan Michiels
Pieter Gronendick
Antony Hansen
Pieter Hansen
Jacobus Klasen
Arian Hermsen
Herman Cornelissen
John Rods

	<i>Translation:</i>	Col. MSS.
Tomas davie	Tomas Davie	20: 10
Thomas skidmor	Thomas Skidmor	(NYSL)
Willem klasen	Willem Klasen	Dutch
		1671
		March 1
		N. S.
Helmanis Fr Wiltbanck ¹	Helmanis Fr Wiltbanck	

Certaine Instructions from y^e Govern^r to Captⁿ Martin Creiger (being bound to y^e Whore Kill.) March 17th 1670.

C. A.
2: 664
(NYSL)

Inprimis.

You are to bring mee an Acco^t of the encrease or decay of the Inhabitants there, & whether any new ffamilyes are resolvd to settle here under y^e protection of his Royall Highness.

1670/1
Mar. 17

You are to give mee an Acco^t w^t y^e Civill Offic^{rs} are, & whither y^e Scout is to be alterd this next ensueing yeare, and that y^e person to Succeed be recommended to mee, whom I will Authorize for 2 yeares next ensueing.

To enquire concerning those Indyans that murder'd John de Capers people, & to lett mee know under what Jurisdiction they live.

To bring y^e Mill Stones wth their Appertenances with you, unless y^e Inhabitants have need of them; and agree with you for them in p^rsent Pay; This to be profferd to M^r Mills first.

To remoove the Customes, & to restore them to their Auncient Liberty.

March. 17. 1670.

Franc: Lovelace.

¹ In a duplicate of this document in *Col. MSS.*, vol. 20, p. 12, there are a few variations, the principal of which are: Nassaawaam, in the body of the text; and Arian Hermens, Thomas Davies, in the list of jurors.

Col. MSS. [Inventory of Peltry, etc., saved from Jan de Kaper's Sloop.]
 20: 18
 (NYSL)
 Dutch

[E]kstract [u]it de [P]rotocolle.

1671
 Mar. 30

Inventaris van pelterij die geburgē sijn

W't het Jaght van Jan de kaper dat W'ongel[u]ckt] js ē
 zijn aē de meest biedende W'koght te weetē aē Mon^r Hendrick Cousturier ē zijn deesē

15 heele beevers a 20 gl: 't stuck.....f 300—
 14 kleijne beevers a 15 gul: 't stuck.....f. 210—
 6 Otters ē 12 katlossē ē 7 vissers
 3 vossē 1 Wolf eē last beever ē
 4 halve beev al' te samē voor.....f 200—
 Nogh aē seuant twee ē 't negentigh gul:.....f. 92—

 beloopt te samē de somma.....f 802—

Dies sal Mon^r Hendrick Cousturier betalē aē Harmanes
 freedricks 13 el duffels a 12 gul: d' el beloopt.....f 156—
 nogh voor eē gesp kruijt ē eē mes te samē.....f —6—
 Nogh aē Harmē Cornelisz. 2 ē $\frac{3}{4}$ el duffels a 12 gl:
 d' el beloopt.....f —32—
 'twelck sij hebbē aē de wilde gegeeve tot eē schenckadie
 voor de voorsz: goederē die sij bekoomē hebbē

Actum Nieu Castel
 Den 30 Maert A^o 1671
 Acordeert Met de
 Protocolle

Matt: De Ringh
 Klercq

Translation:

Extract from the Protocol

Col. MSS.
20: 18
(NYSL)
Dutch

Inventory of peltries which were rescued from the wreck of the sloop of Jan de Kaper, and which were sold to the highest bidder, to wit, to Mr. Hendrick Cousturier, as follows:

1671
Mar. 30

15 whole beavers @ 20 guilders a piece.....f 300—#
 14 small beavers @ 15 guilders a piece.....f. 210—#
 6 otters, 12 cachalots, 7 fishes,
 3 foxes, 1 wolf, one last of beavers and
 4 half beavers, all together for.....f 200—#
 Also, in seawant, ninety-two guilders.....f. . 92—#

Amounts together to the sum of f 802—#

Mr. Hendrick Cousturier, therefore, shall pay to Harmanes Freedricks 13 els of duffel @ 12 guilders an el, amounts to f 156—#

Also, for a buckle, powder and knife, total.....f 6—#

Also, to Harman Cornelissen $2\frac{3}{4}$ els of duffel @

12 guilders an el, amounts to.....f 32—#

which they gave to the savages as a present for the afore-said goods which they secured.

Done at New Castle
 the 30th of March A^o 1671
 Agrees with the Protocol.

Matt: De Ringh
 Clerk

Endorsed: An Inventory of the
 Peltry &c saved out of
 Jan de Capres sloop
 —1670.

C. A.
2:693
(NYSL)

Lre from y^e Governo^r to y^e
Governo^r of Mary-Land.

Hon^{ble} S^r

1671
May 22

In y^e first place I congratulate yo^r happy & safe Returne from Europe (together wth yo^r Ladyes, and all yo^r Rela^{cons}) into Maryland, where may yo^r Continuance be never Interrupted by any synister Accident either publique or private. Next, I am importun'd by y^e surviveing Parents of those unfortunate Children (M^r Courtree, & John y^e Caper, y^e first looseing one, & the latter 3 Sonns) to begg you to compassionate their Condi^{cion}, and to afford them yo^r best assistance to y^e Recovery of some of their Sonns, out of y^e hands of their cruell & barbarous Indyan Possesso^{rs}, in whose Custody they heare (& wth some assurance) they remaine still unmurtherd. All y^e Inquisi^{cion} has been made from Delaware after them that may bee, but in regard of the remoteness of Place, & want of Power sufficient to compell y^e Natives to a cleere confession, little of moment has been perform'd to the satisfaction of y^e Truth; And as it lyes now in yo^r Power (y^e Scene where that tragicall Action hap'n'd being in yo^r Dominions,) Soe likewise wee all rest assured you will afford us yo^r best assistance to y^e detection of soe horrid an Usage committed on those Christians and Subjects to his Ma^{tie}

All y^e Light wee can discover as yet is, that in Jan^{ry} (upon informa^{cion}) one Henry y^e Baker, a^{ls} Trowstat, repaired to Finquakin an Island on the Sea-Coast in yo^r Confines, but could discover little; In ffebruary upon fresh Intelligence hee made another Journey thither accompanied with two others, viz^t John Bowyer & Oloff Swans a Swede, where (after great difficulty) they arriveing at y^e same place, upon more diligent Search found at last, y^e Boate belonging to y^e Sloop^e wth two Oares in it, & a Chest, but saw noe humane Creatures either

civill or savage, & return'd with this Relaçon, since w^{ch} a
 fresh Reporte is arriv'd that some of y^e Company was
 murther'd & some of y^e Youths p^rserv'd alive It being Cus-
 tomary to those Natives to treat Youth wth more Tender-
 ness; Thus farr wee have trac'd the sad Catastrophe of that
 Sloope; It now remains that you will vouchsafe to proceed
 to a full Discovery what is become of y^e surviveing Children,
 whose Parent not onely wth Teares Supplicats yo^r generous
 Assistance, but will likewise wth all y^e demonstraçons of
 Gratitude compensate what Expence you shall putt yo^r selfe
 or others to, in y^e compleating a full assurance, either of
 their Joy or Misery. Thus referring this Affaire to yo^r
 Hon^{ble} & worthy Consideraçons I take my Leave of you wth
 all respect of being

C. A.
2:693
(NYSL)

1671
May 22

S^r

Yo^r very humble & affeçt^e

Servant

Fran: Louelace

New Yorke

May 22th 1671:

An Ord^r about y^e Goods y^t
 were cast on shore by Ship-
 wrack out of y^e Sloope,
Prince of Orange.

C. A.
2:707
(NYSL)

1671
June 1

Whereas I am given to understand that some of y^e Goods
 shipt on Board y^e Sloope y^e Prince of Orange, w^{ch} was y^e
 last yeare unhappily lost by Ship-wrack or otherwise, as
 shee was bound from New Castle in Delaware River to this
 Porte, were cast on shore, or by some other meanes saved
 by y^e Indiyans, & are now secured in y^e Towne of New-
 Castle; To y^e end it may the better be knowne & Discovered to
 whom such Goods doe of Right belong; These are to Author-
 ize & require you, that wth y^e first Opportunity of a Vessel

C. A.
2: 707
(NYSL)

1671
June 1

to come from those parts hither, you cause y^e said Goods to be shipt on board for this Place; you takeing an Inventory thereof, where Care shall be taken for their Disposall according to Equity & Justice. Given under my Hand at fforte James in New Yorke this first day of June 1671.

[Francis Lovelace.]

To Captⁿ Carr, & y^e rest of y^e
Offic^{rs} at New-Castle in
Delaware-River.

No. XLVI.

ALBANY — FARMING OUT OF TAPPERS EXCISE.

G. E.
4: 282
(NYSL)

1671
Aug. 2

Some Orders made by Governo^r
Lovelace, when hee was at Albany
in An^o 1671.

Whereas for the Well-Governm^t and holding of Courts of Justice in this Towne for the Inhabitants thereof, as also of the Colony of Renzlaers-Wijck, Schanechtide, & parts adjacent, as well as Strangers, there have been annually Elected two Commissaryes for this Towne & Schanechtide, & two more for Renslaerswijck to supply y^e places of two others in each place that are dismist, and to bee joyned to one of each Place that reamines in making all together the Number of 6 Co^m: besides the Schout: And I being informed That those Commissaryes who are Elected for Renslaerwijck, either by reason of the distance of their Habitation from the Towne, or their other Occasions are often absent when they are appointed to meet, soe that noe

Court can then bee held, to the great dissatisfaction of those who have Busynesse, and give their Attendance there; I have by & with the Advice of my Councell thought fitt to Order & Appoint, & by these presents doe Order and Appoint that one person more bee annually added for the Towne of Albany, & y^e same Number as formerly to continue for Renslaerswijck, whereby upon all Occasions their Courts may the more regularly bee held, and noe Obstruction bee putt to the due Proceedings of Justice. Given under my hand and Seale at ffort Albany the 2^d day of August in the 23^d yeare of his Mā^{ties} Reigne, Annoq^e Domini 1671.
ffran: Louelace.

G. E.
4: 282
(NYSL)

1671
Aug. 2

[Order for a Court at Albany.]

Memorand^m It is likewise Ordered & Appointed That for the better Dispatch of Busynesse, The Presid^t wth any three of the Commissaryes shall bee a Court to decide & determine all Cases which shall come before them.

G. E.
4: 284
(NYSL)

1671
Aug. 2

Thomas De Laval empowered to determine such Busyness at Albany as was left undone by the Governo^r &c:

G. E.
4: 283
(NYSL)

1671
Aug. 2

Whereas although most Busynesse of Concerne in this place hath been heard & debated before mee during my being here and severall Orders made there-upon, but my Occasions calling mee back to New Yorke, and you making some Stay behinde mee, there being some other Matters left undetermined; These are to Authorize & Appoint you to take Cognizance of all such Matters, whether relating to the Publick, or of private Concerne, and to give such Order therein

G. E.
4:283
(NYSL)

1671
Aug. 2

as you shall finde most expedient and suitable to Justice & Equity; Of which you are to render mee an Acco^t at yo^r Returne: And for what you shall Act or doe herein, This shall bee yo^r Warrant. Given under my hand at ffort Albany this 2^d day of Augst 1671.

Fran: Lovelace.

To Cap^t Thomas Delavall.

G. E.
4:28
(NYSL)

Recorded for Captⁿ Thomas De La-vall,
concerning his ffarming out y^e Excise at
fforte Albany.

1671
Aug. 6

Whereas y^e R^t Hoⁿ^{ble} Col^l: Francis Lovelace by his Warrant Dated y^e 2^d Day of August 1671 here in Albany hath Empowered mee to take Cognizance of all Matt^{rs} relateing to y^e Publique or private Concernes, and by his former Order to me in particular concerning y^e Letting to ffarme y^e Grand Excize of Beer and Wine, and according to y^e ffore-going Orders I did Demand of Johannes Provost if hee would have y^e Excize at y^e same Rate hee had it y^e last yeare in p^rsence of Captⁿ Schijler, Stephanus van Cortlandt and others, his Answer was hee could not; then I told him I would discharge him from that day if hee would; hee seemed to be content, whereupon immediately I lett it out to Martin Crieger Jun^r for y^e same Rate hee paid, w^{ch} was 6600 Guild^{rs}, for y^e ensueing yeare, and to begin y^e 25th Day of July, and to pay to y^e said Provost pro Rato untill y^e 5th of August, as hee had done in y^e yeare 1669. His Hono^{rs} comeing up was the Occasion I did not putt Martin Creiger into Possession at y^e time of the ffarme being then expired; but soe soon as the Governo^r was departed from this Place being y^e 28th of July, Martin Creiger demands y^e Contract made wth mee to have y^e ffarme from y^e 25th day of July, but his Hono^r

being willing to Accomodate Provost, would not make any Dispute, but told Martin Crieger hee should have y^e ffarme from y^e 5th day of August 1671. untill y^e 16th of August 1672; and at y^e same Rate, in Consideraçon of y^e Loss hee sustaines in not haveing y^e ffarme from y^e 25th day of July; and to Avoid Disputes for y^e future did Agree with y^e said Martin Crieger Jun^r to hold y^e ffarme from y^e 16th of August 1671. untill y^e 26th of October 1672; and to pay Twelve hundred Guild^{rs} more; Soe that the ffarme is now lett for th'ensueing yeare for Seaven Thousand Eight hundred Guild^{rs}. Martin Creiger complaining y^e best of y^e time was past, & that hee thought hee should have paid noe more then pro Rato as Provost had done; Now by Vertue of my afore-said Coñmissions or Orders to mee, I doe by this Lett y^e said Grand Excize unto you Martin Crieger Jun^r from y^e 5th of this p^rsent August 1671, untill y^e 26th of October next ensueing, w^{ch} will be in y^e yeare of o^r Lord 1672. with all y^e proffitts & Benefitts thereunto belonging, And to all Intents & Purposes to enjoy it wth all y^e Priveledges yo^r Predecesso^{rs} had, or any before you in y^e like Manner; And y^e said Contract I doe engage shall be Confirmed by y^e Hond Co^{ll}ff Francis Lovelace. In performance hereof I have hereunto sett my Hand this 6th Day of August 1671.

G. E.
4: 28
(NYSL)

1671
Aug. 6

[Thomas Delavall.]

ffor y^e Sum^e of 7800. Guild^{rs}.

The Governo^{rs} Confirmaçon of y^e Agreem^t
betwixt Cap^t Delavall & Martin Creig^r Jun^r
touching ffarming out y^e Grand Excize at
Albany.

G. E.
4: 30
(NYSL)

Whereas I did Entrust & Empower M^r Thomas Delavall Mayo^r of this City, and one of y^e Councill to Lett to ffarme

1671
Sept. 14

G. E.
4:30
(NYSL)
1671
Sept. 14

y^e Grand Packt or Excize of Beere and Wine at Albany for y^e yeare ensueing, y^e w^{ch} accordingly hee hath done by Agreem^t wth Martin Crieger Jun^r That hee shall hold y^e said Grand Packt or Excize or Wine & Beer wth all y^e Proffitts and Benefitts thereunto belonging from y^e time of y^e Expiraçon of y^e Terme for w^{ch} it was lett to David Provost (being y^e 5th day of August) untill y^e 26th day of October 1672; Hee y^e said Martin Creig^r paying for y^e same y^e Su^me of Seaven Thousand eight hundred Guild^{rs} Seawant, w^{ch} is 6600 guild^{rs} y^e Su^me it was lett for y^e last yeare, & 1200 Guild^{rs} more in consideraçon of y^e time over & above y^e yeare; I doe by these p^rsents Allow of, Ratify, & Confirme y^e said Agreem^t made by M^r Delavall wth y^e s^d Martin Crieg^r, that hee hold & enjoy y^e said Grand Packt or Excize wth all y^e Proffitts and Benefitts thereunto belonging for y^e time and Terme, and for y^e Su^me afore-mençoned. Given under my Hand &c: this the 14th Septembr. 1671.

[Francis Lovelace.]

No. XLVII.

LONG ISLAND — TROOP OF HORSE OF NORTH
AND WEST RIDINGS OF YORKSHIRE.

C. A.
2:600
(NYSL)
1670
Oct. 24

Gentlemen

Having this last yeare setled a Militia of Horse in y^e West Ryding of Long Island, wherein I mett wth all y^e Concurance of those that would voluntarily list themselues as Troopers, w^{ch} resolutions as I look't upon them as proceeding from y^e desires they had to put themselues into such a

posture of Discipline as is conceiu'd will most tend to y^e p^rservation of y^e Country in safety & quiett not onely against intestine troubles but likewise of y^e Insolence of y^e Indians (if any such occasion should happen) so likewise I thought it my duty to represent this their Cheerfull obedience to his Royall Highnesse who not onely approved of this manner of framing a Troop but likewise that y^e rest of y^e Island should follow so servisable an Example, I cannot therefore but reco^mend this to yo^r Care & managem^t & would desire yo^u at some Convenient Season before y^e Springe to Assist Captⁿ Younge in Listing & inrowling such Volunteers as will engage in that Imployment, & y^t wth y^e best oppertunity you send me up a List of them, I have Constituted him to be y^e Captaine, for y^e oth^r Subordinate officers I leaue to y^e free Elections of such as y^e Major & te of y^e Troop will nominate, of w^{ch} They are to retorne a double Choice, & then out of them I shall appoint such as I conceiue most proper by Comissionating them in their Charge. In y^e Springe Season I purpose to be wth yo^u & view y^e Generall appearance both of Horse & foot, not doubting in y^e least, to fynde y^e Militia in such a posture as is fitt for y^e end it is designed for; I would not willingly beleiue some haue beene so indiscreet as to discountenance oth^{rs} from listing themselues, unlesse by scattering a Jealousy amongst men onely to fitt them for more desperate & Impious undertakings, but I shall insist no more on that & ticuler till I am convinc't by y^e Sequell, In y^e meane tyme I expect yo^r chearfull concurrance to this my ord^r & promoting a Cherfull compliance of such as are qualifeyed for that Imploym^t I haue no more but to Assure yo^u that I am

C. A.
2: 600
(NYSL)

1670
Oct. 24

Yo^r very Loving freind

Fr: L.

Fort James 24th of

Octob^r 1670.

C. A.
2:690
(NYSL)

The Governo^{rs} Ord^r to y^e Troope
about choosing them Offic^{rs}.

1671
May 18

Whereas Proposals & Request hath been made unto Mee by some of y^e Offic^{rs} and others in y^e behalfe of y^e Troope of Volunteers that they being destitute of a Captaine & Lieuten^t to Command their Troope at y^e Gen^l Trayning, where they are in short time Commanded to give their Attendance; Vpon mature Deliberaçon & Advice had here-upon, I doe thinke fitt to reco^mend unto y^e s^d Offic^{rs} & Troop^{rs} that they make choice of Three persons for Captⁿ, two for Lieuten^t, & 2 for Cornett; & speedily returne y^e Denominaçon of them unto mee, out of w^{ch} Number I shall constitute & Appoint one of each to be y^e chiefe Officer of y^e Troope who shall have my Commission by Authority of his Royall Highness for y^e same; Given under my Hand at forte James in New Yorke this 18th day of May 1671.

[Francis Lovelace.]

To M^r Thomas Willett Cornett
to be Co^mmunicated to y^e rest of the
Troop at their Meeting-together
To-Morrow being y^e 19th instant.

C. A.
2:697
(NYSL)

Ordered that Captⁿ Nicolls, Tho:
Willett, Elias Doughty, & Tho:
Wandall be Offic^{rs} to y^e Troop.

1671
May 22

Whereas according to my Ord^r of the 13th ¹ of this instant Month, that Election should be made by y^e Troope of Volunteers of their Captaine, Lieuten^t, & Cornett by returning y^e Names of three Persons for Captain, & two a piece for Lieuten^t & Cornett, w^{ch} accordingly hath been done, &

¹ This should be " 18th."

their Names returned unto mee, Out of y^e Number soe returned I have thought fitt to Nominate & Appoint Matthias Nicolls to be Capt, Thomas Willett to be Lievtent^t & Elias Doughty to be Cornett of y^e said Troope, & also that Thomas Wandall who was Eldest Corporall be Quart^r-Mast^r, for y^e w^{ch} they shall have their severall Co^mmissions. In y^e meane time this my Resolu^con is to be Co^mmunicated to y^e Troope in Generall, who are ordered to give their Attendance at y^e fferry on Wednesday by three — — a Clock, where they shall receive further Orders. Given under my Hand at fforte James in New-Yorke this 22th day of May. 1671.

C. A.
2: 697
(NYSL)

1671
May 22

[Francis Lovelace.]

Commission for Cap^tn Matthias
Nicolls to be Captaine of the
Troope of Volunteers upon
Long Island.

C. A.
2: 698
(NYSL)

Francis Lovelace Esq^r Governo^r Geⁿl^l under his Ro^yl^l
Highn^s James Duke of Yorke & Albany &c: of all his
Territoryes in America.

1671
May 22

To Matthias Nicolls. Cap^tn

By Vertue of y^e Co^mmission & Authority unto mee given by his Royall Highness I have Constituted & Appointed, & by these Presents doe hereby Constitute & Appoint you Matthias Nicolls to be Captaine of a Troope of Horse Lysted or to be Lysted within y^e North & West Rideings of Yorkshire upon Long Island or parts adjacent as a Troope of Volunteers; you are to take into yo^r Charge and care y^e said Troope as Captaine thereof; & duely to Exercise both yo^r inferiour Officers & Souldiers in Armes, & to use your best Care, Skill, and Endeavour to keep them in good Order & Discipline. Hereby requireing all inferiour Offic^{rs} and

C. A.
2: 698
(NYSL)
1671
May 22
Souldi^{rs} under yo^r Co^mand to obey you as their Captaine; & you are likewise to observe & follow such Orders & Directions as you shall from time to time receive from mee or other yo^r superiour Offic^{rs} according to y^e Discipline of Warr. Given under my Hand & Seale at fforte James in New-Yorke. this 22th day of May 1671.

[Francis Lovelace.]

C. A.
2: 699
(NYSL)

Commission for M^r Thomas Willett
to be Lievtent^t of y^e same Troop.

1671
May 22
Francis Lovelace Esq^r One of the Gentlemen of his Ma^{ties} Hon^{ble} Privy Chamb^r, & Governo^r Geⁿl^l under his Roy^{ll} Highness, James Duke of Yorke & Albany &c: of all his Territories in America.

To Thom: Willett Lievtent^t

By Vertue of y^e Commission & Authority unto mee given by his R: H^s I have Constituted & Appointed & by these p^rsents doe hereby Constitute & Appoint you Thomas Willett to be Lievtent^t of a Troope of Horse Lysted or to be Lysted wthin y^e North & West Rideings of Yorkshire upon Long Is^l^d or parts adjacent wthin this Governm^t, as a Troope of Volunteers, whereof Matthias Nicolls is Captaine. You are to take into yo^r Charge & Care y^e said Troope as Lievtent^t thereof, & duely to Exercise both y^e inferiour Offic^{rs} & Souldiers in Armies, & to use yo^r best Care, Skill, & Endeavour to keep them in good Order & Discipline; Hereby requiring all inferio^r Officers & Souldiers und^r yo^r Co^mand to obey you as their Lievtan^t; And yo^u are likewise to observe & follow such Ord^{rs} & Directions as you shall from time to time receive from mee or other yo^r superio^r Offic^{rs} according to y^e Discipline of Warr. Given under my Hand and Seale at fforte James in N: Yorke the 22th day of May. 1671.

Fra: Louelace.

Coñmission for M^r Elias Doughty to
be Cornett of y^e same Troope. C. A.
2: 700
(NYSL)

Francis Lovelace Esq^r &c:—
To M^r Elias Doughty Corn^{tt}

By Vertue of y^e Coñmission & Authority unto mee given by
his Royall Highness I have Constituted & appointed, & by
these p^rsents doe hereby Constitute & Appoint you Elias
Doughty to be Cornett of a Troope of Horse Lysted or to be
Lysted wthin y^e North & West Rideings of Yorkshire upon
Long Isl^d or parts adjacent wthin this Governm^t as a Troope
of Volunteers, whereof Matthias Nicolls is Captaine. You
are to take into yo^r Charge & Care y^e said Troope as Cornett
thereof; & duely to Exercise both yo^r inferio^r Officers &
Souldiers in Armes, & to use yo^r best Care, Skill & Endeavour
to keep them in good Order & Discipline; Hereby requiring
all inferiour Offic^{rs} & Souldiers under yo^r Coñmand to obey you
as their Cornett. And you are likewise to observe & follow
such Ord^{rs} & Directions, as you shall from time to time receive
from mee or other yo^r superiour Offic^{rs} according to y^e Dis-
cipline of Warr. Given under my Hand and Seale at Forte
James in New Yorke the 22th day of May. Anno Dñi 1671.
Fran: Lovelace

1671
May 22

Commission for M^r Thomas Wandall
to be Quarter-Master of y^e
same Troope — C. A.
2: 701
(NYSL)

Francis Louelace Esq^ß &c:—
To M^r Tho: Wandall Quart^r-Mast^r

By Vertue of y^e Coñmission & Authority unto mee given
by his Royall Highness I have Constituted & Appointed,
& by these p^rsents doe hereby Constitute & Appoint you

1671
May 22

C. A.
2: 701
(NYSL)

1671
May 22

Thomas Wandall to be Quart^r-Mast^r of a Troope of Horse Listed or to be Listed wthin y^e North & West Rideings of Yorkshire upon Long Island, or parts adjacent wthin this Governm^t as a Troope of Volunteers, whereof Matthias Nicolls is Captaine. You are to take into yo^r Charge & Care y^e said Troope as Quart^r Mast^r thereof; And duely to Exercise both yo^r inferiour Offic^{rs} & Souldiers in Armes; And to use yo^r best Care, Skill, & Endeavour to keep them in good Ord^r & Discipline; Hereby requiring all inferio^r Offic^{rs} & Souldiers under yo^r Co^mmand to obey you as their Quart^r-Mast^r And you are likewise to Observe & follow such Ord^{rs} & Directions as you shall from time to time receive from mee or other yo^r superiour Offic^{rs} according to y^e Discipline of Warr. Given under my Hand & Seale at fforte James in New Yorke y^e 22th day of May Anno Dñi 1671.

[Francis Lovelace.]

No. XLVIII.

DELAWARE — NEW CASTLE AND THE WHORE-KILL, PROPOSALS OF CAPTAIN JOHN CARR AND ORDERS THEREON.

Col. MSS.
20: 22
(NYSL)

Some Matters to be tendred to the Considera^çon of his Hon^r y^e Governo^r & his Councill touching y^e Towne of New Castle, & Planta^çons in Delaware River, now und^r his R: H^s Protection & Governm^t.

1671
[June]

That y^e Towne of New-Castle being y^e strength of y^e Riv^r, and only capable to defend it selfe against y^e sud-

- dain Violence & Incursion of y^e Indians, It's humbly
left to Considera^{co}n, whether y^e Inhabitants should
not have some more then ordinary Encouragem^t. As
1^{rst} That a Small Block-House may be erected in some
convenient Place of y^e Towne, where a Constant
Watch may be kept, (now y^e fforte is fallen to Ruine
& Decay) for their Co^mon Defence; the w^{ch} will cost
noe great Matt^r, & may be risen at y^e Charge &
Expende of y^e Inhabit^{ts} of y^e Towne, & Planta^{co}ns
upon y^e Riv^r, who will not be backwards (if any Order
shall be issued forth for it) in contributing towards y^e
same.
- 2^{ly} That noe Sloope or Vessell from this or any other place
comeing to traffick or trade there be permitted to goe
up y^e River above y^e Towne (w^{ch} hath of late been only
tol[er]ated, for that it will probably be y^e ruine of
y^e place (if continued,) all Trade deserting them; &
those that goe up receiving ready paym^t in Peltry or
Corne for their Liquo^{rs} w^{ch} they sell by Retaile with
y^e small Measure, or for their petty Wares, y^e Inhabit-
ants can neither be paid for what formerly hath been
due to them; nor shall be capable of getting a Lively-
hood hereafter.
- 3^{ly} That y^e distilling of Strong Liquo^{rs} out of Corne,
being y^e Cause of a great Consumption of that Graine,
as also of y^e Debauchery & Idleness of y^e Inhabitants,
from whence inevitably will follow their Poverty &
Ruine, bee absolutely prohibited or restrayned.
- [4]^{ly} That y^e Number of Victuall^{rs} or Tappers of strong
Drinke bee ascertained; That is to say, Three only for
y^e Towne, & some few up y^e River, who y^e Offic^{rs}
shall thinke fitt to approve of, & noe more then will
be found convenient, who may have Lycense to doe

Col. MSS.
20: 22
(NYSL)1671
[June]

granted

granted—
not to
traffick:

X

granted

Col. MSS.
20:22
(NYSL)

1671
[June]

granted

granted

X

granted

granted
& the laws
in that case
atted.¹

y^e same; whereby Disorders will be prevented & Travell^{rs} have bett^r Accomodaçon.

5^{ly} That Constables may be appointed to keep y^e Kings peace, who shall have Staves wth y^e Kings Armes upon them, as is practised in y^e rest of these his royall Highness Dominions.

6^{ly} That they may have y^e Kings Armes to be sett up in their Courts of Judicature, as well as on y^e Staves, the w^{ch} they will bee at y^e charge of themselves.

7^{ly} That what Land y^e Office^{rs} there have made Grants of for New Plantaçons (being waste implanted Land) & y^e w^{ch} They had Encouragem^t to doe by yo^r Hono^{rs} Predecesso^r, & never had Order to y^e contrary, may be Confirmed, There being generally Care had for a Moderaçon therein.

8^{ly} That severall Ord^{rs} past at and about y^e time of y^e Tryall of y^e Long ffinn, as well about Publique Charges, as y^e Whore-Kills haveing Offic^{rs} subordinate to those of New-Castle, as also for clearing y^e High-wayes, maintaining ffences, & other Matt^{rs} relateing to y^e Well-Governm^t of that place be reinforced by yo^r Hono^{rs} approbaçon.

9^{ly} That whereas their Neighbo^{rs} of Maryland have made Offer to cleare y^e one halfe of y^e way between M^r Augustine Harmens Plantaçon, & y^e Towne of New-Castle, an Order may be issued forth that those of Delaware should Cleare y^e other halfe next to them, y^e w^{ch} will be noe great Labour or Charge, & may prove of great use & Benefit for Travelling & Commerce.

10^{ly} That some Person may be appointed & Sworne at y^e Towne of New-Castle to be Corne-Meeter, who may not only see y^e Corne duely measured, but p^rvent the

¹ Meant for "attended."

sending thereof abroad soe fowle, by ordering it to be well Cleansed; And also that y^e said Offic^r have an Inspection, & doe View their Beefe & Porke that it be well packt & merchantable.

Col. MSS.

20:22
(NYSL)1671
[June]

11^{ly} That there being a Mill, or most (if not all) the Appertenance-
nances thereunto belonging, up Delaware River at y^e Carcoons Hooke, w^{ch} did heretofore appertaine to y^e Publique, & now is Endeavour'd to be engrossed by some particular persons for their private use; It may be recommended to be taken into his Royall Highness, or his Deputyes hands; by w^{ch} some Benefitt will accrew, & being kept in good Repaire will be of a publique & Geñ^l. Good to y^e Inhabitants.

granted—
the spare
mill stones
preserved
& to bee let
out, the
profit to
sarve pub-
lick, untill
farther ord^r

12^{ly} That noe Quantities of Liquo^{rs} be sold to y^e Indyans under a Quarter of an Ancker, halfe, or a whole Ancker.

X

13^{ly} That y^e Houses in y^e fforte being soe greatly decay'd, as they cannot stand long, their Tiles, Brick, Iron, & other Materialls may be taken downe in time, & preserved for y^e building a New House in their Roome, when opportunity permitts.

granted

That they may bee acquainted by what tenure
They held their land.

On verso:

Proposalls from Capt.

Carr concerning Delaware

Endorsed:

Capt: Cars Propalls.

1671

[36]

C. A.
2:713
(NYSL)

Proposalls from Delaware.¹

Some Matt^{rs} to be tendred to y^e Consideraçon of his Hono^r y^e Governo^r, & his Councell touching y^e Towne of N: Castle & Plantaçons in Delaware River, now under his R: H^s ptection & Governm^t.

[1671
June]

That y^e Towne of New Castle being y^e strength of y^e River, & only capable to defend it selfe against y^e suddain violence & Incursion of y^e Indiyans, It's humbly left to consideraçon whether y^e Inhabitants should not have some more then ordinary Incouragem^t.

1. As First that a Block-House may be Erected in some convenient place of y^e Towne where a constant Watch may be kept (now y^e fforte is fallen to ruine & Decay) for their common Defence, y^e w^{ch} will cost noe greate Matter, & may be risen at y^e Charge and Expence of y^e Inhabit^{ts} of y^e Towne and Plantaçons upon y^e River, who will not be backwards (if any Order shall be issued forth for it) in contributing towards y^e same.

2. That noe Sloop or Vessell from this or any other place comeing to traffique or trade there be permitted to goe up y^e River above y^e Towne, w^{ch} hath of late been only soe tolerated; for y^t it will pbably be y^e ruine of y^e Place if continued, all Trade deserting them, & those

3. That goe up, receiving ready paym^t in Peltry or Corne for their Liquo^{rs}, w^{ch} they sell by Retayle wth y^e small Measure, or for their Petty-wares y^e Inhabit^{ts} can neither be paid for what formerly hath been due to them, nor shall be capable of getting a Livelyhood hereafter.

¹ This recorded copy varies from the fuller and more valuable text in *New York Colonial MSS.*, vol. 20, p. 22, which precedes this one.

4. That y^e distilling of Strong Liquo^{rs} out of Corne being y^e Cause of a great Consumption of that Graine, as also y^e Debauchery & Idleness of y^e Inhabitants, from whence inevitably will follow their Poverty & Ruine be absolutely phibited or restrayned.

C. A.
2:713
(NYSL)

[1671
June]

5. That y^e Number of Victuall^{rs} or Tappers of Strong Drinke be ascertayned, That is to say, Three only for y^e Towne, and some few up y^e River who y^e Offic^{rs} shall thinke fitt to Approve of, & noe more then will be found Convenient, who may have Lycenses to doe y^e same, whereby Disorders will be p^rvented and Travellers have better Accomoda^õn.

6. That Constables may be appointed to keep the Kings peace, who shall have Staves wth y^e Kings Armes upon them as is practised in y^e rest of these his Royall Highness Dominions.

7. That they may have y^e Kings Armes to be sett up in their Courts of Judicature, y^e w^{ch} as well as of y^e Staves they will be at y^e Charge of themselves.

8. That what Lands y^e Officers there have made Grants of for new Planta^õns, being Wast implanted Land, & y^e w^{ch} they had Encouragem^t to doe by yo^r Hono^{rs} Predecesso^r, & never had Order to y^e Contrary, may be Confirmed, there being generally care had for a modera^õn therein.

9. That severall Ord^{rs} past at & about y^e time of y^e Tryall of y^e Long ffinn as well about Publique Charges as y^e Whorekill, haveing Offic^{rs} subordinate to those of New-Castle, as also for Clearing y^e High-Wayes, Maintaining ffences, & other Matt^{rs} relateing to y^e Well Governm^t of that Place, be reinforced by yo^r Hono^{rs} Approba^õn.

10. That whereas their Neighbo^{rs} of Maryland have made Offer to Cleare y^e one halfe of y^e way between Mr

C. A.
2:713
(NYSL)

[1671
June]

Augustine Hermans Plantaçon & y^e Towne of New-Castle, an Ord^r may be Issued forth that those of Delaware should Cleare y^e other halfe next to them, the w^{ch} will be noe great Labour or Charge, & may prove of great use and Benefitt for Travelling and Commerce.

11. That some person may be appointed & sworne at y^e Towne of New Castle to be Corne-Meeter, who may not only see y^e Corne duely measured, but prevent the sending thereof abroad soe fowle by ordering it to be well Cleansed, & also y^t y^e said Offic^r have an Inspection, and do view their Beefe & Porke that it be well packed, and merchantable.

12. That there being a Mill, or most if not all y^e Appertenance thereunto belonging up Delaware River at y^e Carcoons Hooke, w^{ch} did heretofore appertaine to y^e publike, and now is Endeavoured to be Engrossed by some particular persons for their private uses may be reco^mended to be taken into his Royall Highness or his Deputyes hands, by w^{ch} some Benefitt will accrew, and being kept in good Repaire, will be of a Publiq^z & Generall Good to the Inhabitants.

C. A.
2:717
(NYSL)

At a Councell held at Forte James
in New Yorke y^e 14th day of
June in y^e 23^d yeare of his Ma^{ties}
Reigne Annoq^z Dñi. 1671.

1671
June 14

In answer to y^e Proposals deliver'd in by Captaine John Carr, y^e Governo^r & Councell doe give their Resolu^{co}ns as followeth.— viz^t—

1. As to y^e first Branch, y^e Inhabitants of y^e Towne of New-Castle may assure themselves of all due Encouragem^t; And what is proposed as to y^e Erecting of a Block House for their Co^mon Defence, it's very well approved of; The

Offic^{rs} there being hereby Authorized to prosecute that
Designe, by enjoyning y^e Inhabitants, and others concerned,
to goe on and finish y^e same.

C. A.
2:717
(NYSL)

2. The second Proposall is likewise granted that noe
Vessell shall be permitted to goe up y^e River above New
Castle to Traffick, but that y^e former Ord^{rs} made to y^e
contrary be putt in Execu^{co}n.

1671
June 14

3. To y^e 3^d It's Ordered that noe person in Delaware shall
be permitted to distill Liquo^{rs}, but such as give in their
Names to y^e Officers at New-Castle, from whom they shall
have Licence soe to doe, and also that such Distiller shall
pay or cause to be paid one guilder per Can, for all Strong
Liquo^{rs} that they shall distill, the w^{ch} shall goe towards y^e
repara^{co}n of y^e New Block-House or fforte, or some other
publique Worke.

4. 5. 6. As to what is proposed in y^e 4th, 5th, and 6th, y^e
Governo^r & Councell have also granted what is therein
desired.

7. To y^e 7th y^e Governo^r doth allow of all such Grants as
y^e Officers at Delaware have already past, and doth Order
that those now p^rsented by Captaine Carr and M^r Wharton
have Patents of Confirma^{co}n, upon y^e same Termes & Con-
di^{co}ns as y^e rest of y^e Plant^{rs} in Delaware River under his
Royall Highness Protection doe enjoy their Land, with this
Condi^{co}n that each Planter shall be obliged to settle upon
y^e Land for w^{ch} they have Patents in some convenient time
to be appointed for y^e same; and likewise that they main-
taine a House Lott in y^e Towne or Townes intended to be
Erected for their mutuall defence to y^e w^{ch} they shall be
nearest related.

And for y^e future It's expected before any Grant be abso-
lutely made there by y^e Officers that y^e desires of all such
Persons who are willing to take up Land, together wth y^e

C. A.
2:717
(NYSL)

1671
June 14

quantity thereof be first Transmitted to y^e Governo^r here, who as hee shall see Cause will issue forth an Order to y^e Surveyo^r there to make a Survey thereof, the w^{ch} being certified, they may have Patents of Confirmaçon for y^e same, In y^e mean time y^e Offic^{rs} are to give Encouragem^t to any such Persons, who shall make applicaçons unto them for Land who may withall be acquainted with this Order.

8. To y^e 8th, It is consented unto, That those Ord^{rs} made at y^e time of y^e Tryall of y^e Long Fin at New Castle doe stand good, and y^e Offic^{rs} there are to cause them to be putt in Execuçon, But withall they are to returne hither a Duplicate thereof, whereby it may y^e better be adjudged how long time they may bee practicable.

9. — To y^e ninth about cleareing y^e way between New Castle & M^r Augustine Hermans Plantaçon, if those of Mary Land are willing to doe their parte, The Offic^{rs} at New Castle are hereby empowered to enjoyne y^e Inhabitants at Delaware likewise to Cleare their proporçon.

10. — The 10th Proposall is found very convenient, It being consonant to y^e Lawes of y^e Governm^t, w^{ch} in that Case ought to be attended, & y^e Offic^{rs} there are authorized to see it putt in practice.

11. As to y^e 11th concerning y^e Mill, as also one paire of Millstones not used, but lyeing in y^e Mud or Water, It is ordered that Care be taken for y^e Letting out y^e said Mill for y^e best advantage to some perçon who will undertake y^e same, & that y^e proffitt thereof be reserved for y^e publiq^ß, & for y^e Millstones not used, They are to be taken up & p^rserved till further Ord^r.

12. To y^e 12th for selling Liquo^{rs} or Strong Drinke to y^e Indiyans, It's left to y^e discretion of the Officers there to doe therein as shall be thought most convenient.

13. To y^e 13th It is left to y^e care of Capt Carr & y^e rest of y^e Offic^{rs} in New-Castle to see that the Materialls in y^e Forte be p^rserved in y^e best manner they shall thinke fitt, who have likewise Liberty to dispose of such of them towards y^e Erecting of y^e New fforte or Block-house as there shall be occasion.

C. A.
2:717
(NYSL)

1671
June 14

14. Lastly as to y^e tenure of y^e Land at Delaware, It is to be held in free & com^{on} Soccage as his Ro^y^{ll} Highness by his M^a^{ties} Patent holds all his Territoryes in America, that is to say, according to y^e Custome of y^e Manno^r of East Greenw^{ch}, only wth this Provisoe that they likewise pay y^e Quitt Rents, reserved in their severall Pattents, as an Acknowledgm^t to his Royall Highness.

No. XLIX.

DELAWARE — LAND GRANT TO JAMES MILLS.

M^r James Mills appointed Surveyo^r
of y^e Land at y^e Whore kill.

C. A.
2:632
(NYSL)

Francis Louelace Esq^r &c. Whereas there are severall parcels of Land at y^e Whore Kill in Delaware bay as yett undisposed of, & divers other quantityes possest, y^e w^{ch} haue eith^r nor beene laid out at all or very irregularly done for want of a Skilfull Surveyor in those parts & application haveing beene made unto me by James Mills (who intends to settle there) that he may haue that Employment conferr'd upon him, of w^{ch} I am inform'd he is very capable, I haue

1670/1
Jan. 9

C. A.
2:632
(NYSL)

1670/1
Jan. 9

therefore thought fitt to Constitute & appoint & by theise p^rsents do hereby Constitute & appoint him y^e said James Mills to be Surveyo^r of y^e Land at y^e Whore kill & parts adjacent, Giving & graunting unto him y^e profitts & privileges thereunto belonging, He behaving himselfe in his said Imployment conformable to y^e Custome & practise of Surveyo^{rs} in theise his Royall Highnesse his Territoryes & Dominions & y^e Lawes of y^e Government. Given und^r my hand & Seale at ffort James in New Yorke this 9th Day of January in y^e 22th yeare of his Ma^{ties} Raigne Annoq̃ Dñi 1670.

[Francis Lovelace.]

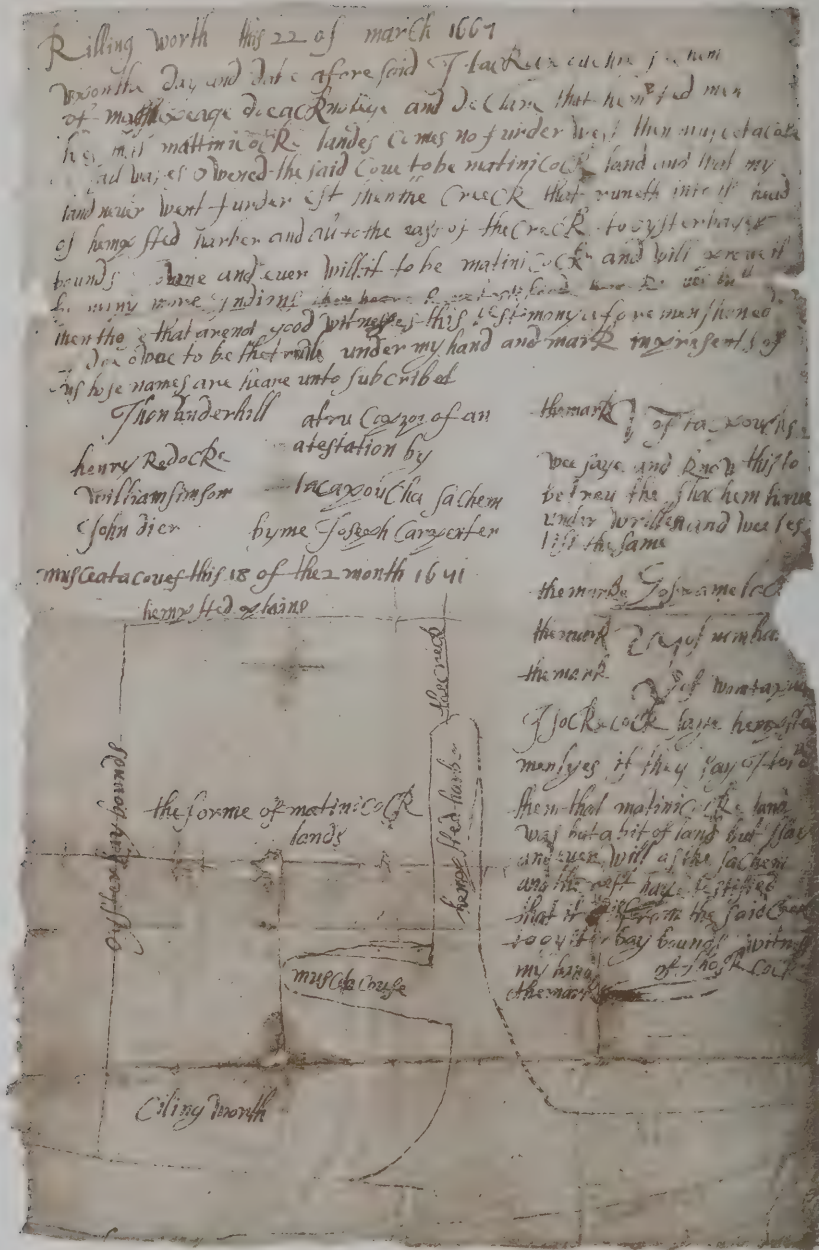
C. A.
2:628
(NYSL)

An Ord^r for James Mills to purchase a Neck of Land for a Plantation at y^e Whore kill

1670/1
Jan. 12

Whereas James Mills hath made request unto me that he may haue my Lycence to purchase a certaine point or Neck of Land for a Plantation lyeing to y^e Southward of y^e Towne at y^e Whorekill in De la ware bay, The w^{ch} as he alleadges was Consented unto by y^e Com^{rs} there, & ordered by them to be certified & recomended unto me but was omitted by their Clarke, I haue thought fitt to graunt his request if it be as is alleadged, but Expect that y^e Com^{rs} do make certificate thereof & likewise of y^e Extent & quality of y^e said Land whereupon he shall haue further assurance by Patent for y^e Same. Given under my hand & Seale at ffort James in New Yorke this 12th day of January in y^e 22th veare of his Ma^{ties} Raigne Annoq̃ Domini 1670.

[Francis Lovelace.]



DRAUGHT OF MATINICOCK LANDS

as interpreted by the Indian Sachem,
Tackapouche, March 22, 1667/8.

(Reduced from 12½ by 8 inches.)

LONG ISLAND—LANDS OF THE MATINICOCK
INDIANS, TOWN OF HEMPSTEAD, THOMAS
TERRY, JOHN PAINE, ETC.

'Tis Agreed the 19th October in James ffort, 1666.

That the Inhabitants of Hempsteed, shall Enjoy and Possesse Mattinnicock, upon these Condiçons and reser-
vaçons following.

I.st That the Indyans shall have a Planting ffield upon the same, when ever they desire it.

2^{dly} That the Indyans shall receive as a Guift from the Governo^r, in behalfe of the Inhabitants of Hempsteed, the Summe of [blank] in Duffles and Blanketts, upon the day and time that the said Indyans Proprieto^{rs} of Matinnicock, do Signe a ffirmе and absolute Deed of Conveyance of the said Land, to the Inhabitants of Hempsteed.

3^dy The Indyans do Covenant, That Cap^t Underhill shall enjoy a part of the said Land, And it is mutually declared, by M^r Hicks and M^r Gildersleeve, on the Townes part, and

¹ This agreement resulted from a petition and complaint of the Matinicocks, represented by Captain Underhill, to the court of assizes, on October 1, 1666, against the town of Hempstead, alleging that the inhabitants of the latter had never paid the Indians for lands that were being encroached upon. The governor and court of assizes, after duly considering the case, ordered the appearance of representatives of both parties before the governor and council on October 18th, then to "give their Judgm^t therein, according to Law & good Conscience;" meanwhile, the English occupants were not to be molested or disturbed.—*Court of Assizes*, vol. 2, pp. 52, 55, 84, 91.

Deeds by Cap^t Underhill for himselfe, that they are Agreed upon
2:154
(Sec. State) the proportion.

1666 4^{thly} That the Indyans will not disturbe any of the Plant^{rs}
Oct. 19 or their Cattle, now, or hereafter, coming upon the said
Land. In y^e p^rsence of mee

Rich^d Nicolls

Memorandum. That the Indyans p^rsent will conferre
upon the p^rmisses, with the rest of their People, and bring
their full Conclusions there upon.

Deeds [Oyster Bay vested in Possession of Meadow.]
2:155
(Sec. State)

1666 Memorandum That on the 19th day of October 1666.
Oct. 19 Mr John Hicks, and M^r Richard Gildersleeve, in the name
and behalfe of the Towne of Hempstead, did before the
Governor^r disclayme any Title or Interest, to a certaine
Parcell of Meadow Ground, adjacent to Matinnicock Lands,
And that as the Towne of Oyster Bay, now doth, so forever
hereafter they may quietly enjoy the said Meadowes, without
any molestaçon or disturbance, of any Person or Persons,
Clayming a right there unto, from, by or under them.

Entred in the Office of Records at New Yorke, the day
and yeare above written.

M Nicolls Secret.

C. A.
2:529
(NYSL)

8th June 1669.

The Governor^r advised y^e Hempstead men to
bringe their proofes betweene them &
Matinicock to these heads ¹

1669
June 8

1st To proue that Matinicock was really at y^e disposall
of Tackpowsha y^e Marsapeag Sachem.

¹ An appeal to the court of assizes was withdrawn upon request of the
inhabitants of Hempstead, in October, 1669.—*Court of Assizes*, vol. 2, p. 200.

2^{ly} Wheth^r y^e said Sachem did sell convey or dispose of Matinicock Lands to y^e Towne of Hempsteed or if they themselues did submitt to any such disposall.

C. A.
2:529
(NYSL)

3^{ly} Wheth^r if y^e said Sachem did or they themselues consented thereunto, for what value was it, & how it doth appeare.

1669
June 8

4^{ly} If y^e Montaukett Sachem by Conquest had power so to doe or if euer he did dispose of y^e same to Hempsteed & upon what Consideration.

Liberty Graunted to Thomas Terrye
to purchase of y^e Indians land at
Matinicock

C. A.
2:566
(NYSL)

Whereas M^r Thomas Terry haueing formerly shewed me his p^rtences to a certaine parcell of Land at Matinicock & made proposalls of setling some familyes there y^e w^{ch} may prove for y^e good & benefitt of y^e Countrey, But it appearing not that y^e Indian Right thereunto hath at any tyme beene purchased of y^e Natives, These are to certifye all whome it may concerne That I haue giuen & graunted & by theise p^rsents doe giue & graunt unto y^e said Thomas Terry on y^e behalfe of himselfe & his Associates my leaue & Lycence to purchase of y^e Indian Proprieto^{rs} such part of y^e lands at Matinicock capable of conteyning fieve or six farmes y^e w^{ch} doth not of right belonge to any Towne or Plantation settled by myne or my Predecesso^{rs} ord^{rs} according to his proposalls & request The said Indians concerned in y^e Sale thereof appearing before me or some persons appointed by me & making their Acknowledgm^{ts} to be fully satisfied & paid as in y^e Law is required, upon w^{ch} he y^e said Thomas Terry shall haue his Patent for y^e same Given und^r my hand & Seale at ffort James in New Yorke this 8th day of July in y^e 22th yeare of his Ma^{ties} Raigne Anno^q Domini 1670.

1670
July 8

[Francis Lovelace.]

Col. MSS.
22: 103
(NYSL)

[Declaration of Thomas Terry about Matinicock Land.]

1670
July 11

Know all Men by these presents That whereas the R^t ho^{ble} the Governo^r hath beene pleased to graunt mee on the behalfe of my selfe & associates, a Licence to purchase a certaine parcell of Land at Matinicock of the Indyan Proprieto^{rs}, I do hereby freely consent & declare that if the businesse afores^d can bee attained to, the number of the associats shall bee foure more besides my selfe, That is to say M^r Thomas Lovelace M^r Matthias Nicolls, M^r John Payne, & the heyres of M^r John Alcocke to be joyned with myselfe Allwayes provided That each person who hath equall share with the rest doe beare an equall propor^{con} of all Charges, whether of Purchase or otherwise: In testimony whereof I have herevnto sett my hand this iith day of July 1670.

[Signed:] Thomas Terrey

Recorded by mee the day &
yeare above written, in the Office
of Records at New Yorke.

Matthias: Nicolls. Sec^{ry}

On verso (second leaf):

To direct any letter to M^r Terry to bee Left at
M^r Robert Carrs at Newport Roade Island.

Endorsed:

M^r Terryes note
to mee & M^r Thomas
Lovelace.

July: 11th
1670

I, the undersigned, do hereby certify that the
 above is a true and correct copy of the
 original as the same appears in the
 records of the City of New York.
 In testimony whereof, I have hereunto
 set my hand and the seal of the City of
 New York, this 11th day of May, 1862.
 Thomas Terry, Mayor of the City of New York.
 11 12

Recorded by me, the Day & Year
 above written, in the Office
 of Records at New York.
 Nathl. Nichols, Secy.

DECLARATION BY THOMAS TERRY
CONCERNING MATINICOCK LAND.

(Reduced from 12¼ by 7½ inches.)

An Order from y^e Governo^r directed
to M^r Pine, & M^r Smyth concern-
ing y^e Mitinick Land.

C. A.
2: 666
(NYSL)

Whereas there are diverse p^rtences made to y^e Lands com-
only called y^e Matinick Land lyeing between Hempstead
& Oyster-Bay, The w^{ch} the Towne of Hempstead in Generall,
as well as severall particular persons doe lay clayme unto,
but y^e Indyans who are reputed y^e true Proprieto^{rs} thereof
doe absolutely disallow of & disown y^e same, And there
being likewise some dispute or difference between them &
their Neighbours concerning the Bounds of y^e said Land &
y^e quantity thereof; To y^e end a right & good Vnderstanding
may be had touching y^e Premisses, These are to Authorize
& desire you that you will give notice to the Matinick
Indyans that they chuse two or three of the most intelligible
persons amongst them to be ready to come before mee to
this place within the space of 3 weeks or one month after
y^e Date hereof, of w^{ch} they shall receive further notice to
make good their clayme to describe their exact Bounds, &
withall to treat concerning a Settle^{mt} of some of that Land,
not as yett manured or planted, soe that it may tend to a
generall Good; And for what you shall Act or doe herein
according to this Order (of w^{ch} an Acco^t will be expected)
This shall be your sufficient Warrant. Given under my
Hand at fforte James in New Yorke this 31th Day of March.
Anno. 1671.

1671
Mar. 31

[Francis Lovelace.]

To M^r James Pine & M^r
Smyth of Hempstead.

C. A.
2: 704
(NYSL)

An Ord^r to M^r Tho: Terry
about y^e Indyan Lands at
Matinicock &c: —

1671
May 29

Whereas I have appointed Co^mmission^{rs} to View & Determine y^e Bounds of Matinicock Lands, concerning y^e w^{ch} diverse Disputes & Controversyes have arisen, To y^e end a right Vnderstanding may be had for y^e future between y^e Partyes concerned; These are to Authorize & Appoint you Thomas Terry to repaire to Hempstead, there to make Enquiry what Indyans are concerned; And that you give y^e said Indians notice to give their Attendance on y^e Co^mmission^{rs} on Tuesday y^e 5th day of June next, about Eleven of y^e Clock in y^e Morning at Musketoe Cove at Jospeh Carpent^{rs} Planta^{co}n from whence they afe to pceed according to the Commission & Instructions they shall receive from mee; And for soe doeing this shall be yo^r Warrant.

Given under my hand at fforte James in New Yorke this 29th day of May. 1671.

[Francis Lovelace.]

To Thomas Terry
These —

C. A.
2: 702
(NYSL)

A Commission for Captⁿ Nicolls
M^r Thomas Lovelace, M^r Robert Coe, M^r Richard Cornell
&c: to determine y^e Differences
about y^e Matinicock Lands.

1671
May 29

Whereas severall Disputes & Controversyes have arisen both as to Persons Clayming an Interest in, as also to y^e Bounds of Matinicock Lands between Hempstead & Oyster Bay, some p^rtending to have made purchase of y^e said Lands of y^e Natives, & they againe affirming y^e Contrary, both in

y^e time of my Predecesso^r Coll Rich^d Nicolls, & also since my being Governo^r here; To y^e end a finall Issue may be putt to those Disputes & Controversyes, & also that those Lands may not lye waste, but that some convenient ppor^{cion} thereof may be improved to y^e best advantage, I have thought to Nominate & Appoint, & by these p^rsents doe hereby Nominate & Appoint Thomas Lovelace Esq³, M^r Matthias Nicolls, M^r Robert Coe, & M^r Richard Cornell to be Commission^{rs} to examine into those Differences, to view y^e Bounds, & to putt an End to all Disputes (if possible) touching y^e said Lands co^monly called Matinicock Lands, as also to Treat wth y^e Indyan Proprieto^{rs} for their Right (if not already sold) in that propor^{cion} of Land heretofore made over by y^e Towne of Hempstead to Thomas Terry & his Associates; Allwayes provided it be noe part of what is already disposed of by y^e approba^{cion} of my Predecessor or my selfe to any other Petson or Persons; Of all w^{ch} They are to render mee an Exact Acco^t And for what They or any three of them shall lawfully doe in prosecution hereof, This my Commission shall be to them & every of them a sufficient Warrant.

C. A.
2:702
(NYSL)1671
May 29

Given under my Hand & Sealed wth the Seale of y^e Province this 29th day of May in y^e 23th yeare of his Ma^{ties} Reigne Annoq³ Dñi. 1671.

[Francis Lovelace.]

A Warr^t to y^e Constable of Hempstead
on Behalfe of M^r Thom: Terry
as followeth.

C. A.
2:707
(NYSL)

These are to require y^e Constable and Overseers of Hempstead to be ayding and assisting to y^e Bearer hereof M^r Thomas Terry in procureing some ffit Messenger that

1671
June 3

C. A.
2:707
(NYSL)

1671
June 3

understands y^e Indyan Tongue to give Notice to y^e Indyan concerned, that they give their Attendance upon y^e Co^mmission^{rs} at y^e time & place appointed. Given under my Hand at fforte James in New Yorke this 3^d day of June, Anno 1671.

[Francis Lovelace.]

C. A.
2:728
(NYSL)

An Ord^r to Summon y^e Indyan of
Matinicock before y^e Governo^r,
y^t y^e difference about those
Lands may be determined &c:

1671
June 21

Whereas there was an Ord^r issued forth beareing Date y^e 31th day of March last, wherein y^e Matinicock Indyan were appointed to chuse two or three persons of y^e most intelligible amongst them to be ready wthin three weeks or a months time to come to this place before mee to make good their Clayme to their Lands, & to describe their exact Bounds, as also to treat concerning a Settlem^t of some of that Land, not as yet manured or planted, of w^{ch} they were to receive further notice; But y^e said Indyan or some of them not waiting that time, of their own accord came hither, and went away againe, without speaking about, or doeing any thing in their Business; And whereas I did since that appoint Co^mmission^{rs} to goe upon y^e place & endeavor an Agreem^t, but by reason of y^e differences between y^e said Indyan & Hempstead Men, nothing was effected therein; These are therefore to Order and appoint that some of the Matinicock Indyan on y^e behalfe of the rest have notice to give their attendance here before mee on Munday next being the twenty sixth day of this instant Month to give mee an Acco^t of what was before expected, soe that I may

endeavo^r an accomoda^çon in this matter, of w^{ch} y^e s^d Indyans
are not to faile as they will answer y^e contrary at their per-
rill. Given under my Hand this 21th day of June 1671.

C. A.
2:728
(NYSL)

Fr: Lovelace

1671
June 21

To y^e Constable or one of y^e Overseers of Hempst^d

Liberty given to M^r Paine & M^r Terry
to purchase y^e Matinicock Lands of
y^e Indyans, held soe long in dispute.

G. E.
4:1
(NYSL)

Whereas an Ord^r issued forth to summon y^e Sachem and
Pretenders to Matinicock Lands to appeare before mee in
this place y^e first day of this instant Month, w^{ch} accordingly
they did, but nothing was done in relation to what was
intended, w^{ch} was to treat & come to some Conclusion about
y^e said Lands, y^e said Indyans desireing a longer time of
Considera^çon when they would give in their Resolves, y^e
w^{ch} they have altogether neglected to doe; These Presents
therefore Certify & declare that I doe hereby give free Leave
& Lycence unto M^r John Payne & M^r Thomas Terry &
their Associates in his Royall Highness his Name to Treat,
Agree upon & Conclude wth y^e Indyans for their Right and
Interest in any part of Matinicock Lands not already pur-
chased or disposed of, to y^e end that y^e said Land may be
manured & improved for y^e publi^q Good, y^e said Indyans
reserving out of it only a piece of Land convenient for them
to plant upon themselves; And in regard of y^e great Trouble
and Expence as well as Losse of time y^e said M^r Terry hath
been at upon this Occasion, hee haveing likewise taken M^r
John Payne in Partnership with him, The said Indyans are

1671
July 11

G. E.
4:1
(NYSL)

1671
July 11

strictly charged & prohibited that they doe not sell or dispose of any of y^e said Lands to any other person or persons, but only to y^e said M^r John Paine & M^r Thomas Terry & their Associates, or their Ord^r for y^e use aforesaid, who upon any Agreem^t or Conclusion made, have forthwth Liberty to possess and plant thereupon; And for whatsoever They or either of them shall lawfully Act or doe in prosecu^{co}n hereof, This shall be their sufficient Warrant. Given under my Hand and Seale at fforte James in New Yorke y^e 11th day of July in y^e 23^d yeare of his Majestyes Reigne, Annoq³ Dñi 1671.

Fra: Lovelace.

G. E.
4:4
(NYSL)

The Governo^r & Councells Proposall in y^e difference between Captⁿ Seaman & M^r Gildersleeve on y^e one pt, & Tho: Terry on y^e other.

At a Councell held at Forte James in N: Yorke y^e 13th day of July. Anno Dñi 1671.

1671
July 13

Whereas Captⁿ John Seaman, & M^r Rich^d Gildersleeve were employd by y^e Towne of Hempstead both to make out their Title to y^e Land co^monly called Matinicock Land, & also to break off their former Contract & Agreem^t wth M^r Thomas Terry concerning their Grant to him of settlement there, or else make some New Agreem^t wth him; These Presents doe wittness and declare that I doe Recommend it to both partyes to make a faire & friendly Composure touching y^e Premisses between themselves (if possible) And for what concernes y^e Indians Titles or theirs to Matinicock it may some other time be decided, when both Partyes doe make their Appearance.

[Agreement between Hempstead and Thomas Terry, etc.] Col. MSS.
22:118
(NYSL)

The honrd Governor & Councill haveing reco^mended the Difference that hath happened between Hempsteed In whose behalf Cap^t John Simmons & Richard Gildersleive did appear this 31st of July 1671 on the one part and Thomas Terry and John Paine in behalf of themselves & associates on the other part relateing to a Tract of Land lying between Hempsteed plaines & the Sea towards the Northeast in readiness to save his Hon^r & Councill any further trouble in an amicable compliance wee doe agree with his hon^{rs} good liking as followeth

1671
July 14

That said Terry, Paine & Associates shall be fully & absolutely possesst of a reall right & property in & unto y^e one half of y^e land between the Edg of Hempsteed plaine Southwestward or thereabouts & the utmost Extent of the tract of Land to y^e sea North Eastward or thereabouts according to y^e true & full extent of y^e lands in all respects equally & indifferently to be divided to each part their Moeity that said Paine Terry & Associates shall be accepted of as Townsmen wth an equall priviledg in all respects. That whereas Carpenter are settled on one part of this land by the Towns permission the said Terry & Paine & associates are to allow of the quantity of 150 Acres to be taken out of their Moiety in refference thereto and not more that what is there otherwise granted allotted or settled on in that Tract of Land by other persons is to be deducted out of Hempsteed Moiety or part and those who have allready Emproved to y^e quantity seven shall Enjoy their Lotts and Improvements Hempsteed allowing Paine Terry, & Assotiates the like quantity of lands out of their moiety or parte That Hempsteed people on y^e one part Paine Terry & Assotiates on y^e other part shall bear an equall Charge in the purchase of what is to be yet pur-

Col. MSS. 22: 118
(NYSL)
1671
July 14

chased if any & in the laying out & Legall settlement of the same & this to be a finall agreement & Determination about this Land whereof are said to be Matinecutt Lands The within written agreement being acknowledged before me by the parties concerned I doe very well approve thereof July the 14th 1671.

Fran Lovelace

Enter'd in the office of
Records at Newyork y^e
day & year above
written

Math: Nichols Secr^y

A True Copy of y^e originall p me
Tho: Hickers

[*Not endorsed.*]

Copy.

G. E.
4: 44
(NYSL)

An Ord^r for a Hearing at y^e Assizes about
y^e Matinicock-Lands & Hempstead.¹

1671
Sept. 25

Whereas there long hath been and still is a Contest or Difference depending between y^e Inhabitants of Hempstead, & some Indiyans of Matinicock, about certaine Lands lyeing there, y^e w^{ch} is claymed by those of Hempstead as their Purchase, but is also contradicted by y^e Indyan Proprieto^{rs} of Matinicock, who deny that either They or their Ancesto^{rs}

¹ In compliance with this order, Captain John Seaman and Richard Gilder-sleeve appeared for Hempstead, and Robert Williams for the Matinicocks; the attorneys were Sharpe and Waters. The case was heard by the court on October 6, 1671. Hempstead set up a claim of purchase "from y^e Indyan Sachem Tackpoushe, who was entrusted by y^e Indiyans of Matinicock to sell their Land," and that "the same was confirmed by the great Sachem of Montaukett." They also insisted on a promise made to them by Governor

or any for them have ever sold or received Satisfaction for y^e same; The w^{ch} hath occasioned great Trouble, & proves a hindrance to the Planting & Improvement of those parts, w^{ch} otherwise had been ere this settled for y^e Good and Benefitt of these his R: H^s his Territoryes; These are in his Mā^{ties} Name to require that some person or persons be appointed by y^e Justice of the peace, Constable, & Overseers of y^e Towne of Hempstead, and 2 of y^e discreetest of y^e Indiyans of Matinicock, or some one or more Christians Chosen by them to plead their Cause that they make their Appearance at y^e next Geñ^{ll} Court of Assizes to be held in this City beginning on y^e first Wednesday in October next, being y^e 4th day of y^e said Month to make out their Title to y^e said Land, that upon due Examination had, and Proofs made thereupon; It may be knowne to whom it really & of right doth belong, and Judgment be given accordingly, consonant to Law and good Conscience. Given under my Hand at fforte James in New Yorke this 25th day of Septemb^r in y^e 23th yeare of his Mā^{ties} Reigne, Annoq̃ Dñi 1671.

G. E.
4:44
(NYSL)

1671
Sept. 25

ffra: Lovelace

To y^e Justice of y^e peace, Constable, &
Overseers of Hempstead.—

And to those of Matinicock who p^rtend
to be Proprietors of y^e said Land.—

Nicolls that "noe other Persons, but those of their Towne should have Leave to buy the Land at Matinicock." For the Indians it was contended "that Matinicock Land was never sold to Hempstead Men by their Consents, and that Tackpoushe disowns it." Governor Lovelace proposed to buy the land for Hempstead, but the Indians were only willing to sell direct to the governor and wanted a month's time for consideration of the price. Hempstead asked Lovelace to end the controversy, and the Indians, "consenting to sell their Interest," again asked one month's time "to bring in their Demand for the same to y^e Governo^r, reserving a Planting field to themselves."—*Court of Assizes*, vol. 2, pp. 259, 260, 277, 280.

G. E.
4:159
(NYSL)

An Ord^r in answ^r to y^e Inhabitants Petiçon
of Matinicock about their Commonage.

1672
July 4

Whereas upon y^e Petiçon of y^e Inhabitants of Matinicock about their Commonage, an Order went forth from my selfe & Councell, That before y^e Purchase should bee made of y^e Indyans Right to that Land, according as it was agreed on at y^e Last Court of Assizes; Those of Hempstead & M^r Terry & Company, together wth y^e Petn^{rs} should bee discourst wth about y^e p^rmisses, soe that Nothing should bee done to their prejudice; To y^e End an Issue may bee putt to that Affayre, These are to Advertize y^e Inhabitants of Matinicock, That some Persons from this Place will bee at Hempstead upon Munday next being y^e 8th day of this instant Month, where it is expected they should send one or two Persons on y^e behalfe of their Plantaçon, when those of Hempstead, M^r Terry & Company, wth some from Matinicock being mett together, they may come to a right Vnderstanding about y^e said Land, & make Reporte thereof unto mee, that y^e Matter at length may come to a finall Determinaçon. Given under my Hand at Forte James in New Yorke. this 4th day of July 1672:

[Francis Lovelace.]

G. E.
4:176
(NYSL)

An Ord^r about y^e Lymitts of
Hempstead & Oyster-Bay.

1672
Aug. 2

Whereas y^e Bounds & Lymitts between y^e Townes of Hempstead & Oyster-Bay, as also between Hempstead & y^e Inhabitants of Muskeeto Cove have not hitherto been soe layd out & ascertayned, but diverse Disputes & Contests have already, & more are like to arise upon that Occasion, And

there being likewise a Difference what y^e Extent is of y^e Land co^monly called Matinicock Land about the settling whereof there hath an Agreem^t been made by my Approba^{co}n between y^e Inhabitants of Hempstead, & M^r Thomas Terry & Company; These are to empower & authorize some Persons of y^e Neighbourhood as shall bee thought most capable to bee chosen by y^e Offic^{rs} of y^e Towne of Hempstead & M^r Terry to runn the Line & lay out y^e just Bounds between the said Townes of Hempstead & Oyster-Bay, & also between them & Muskeeto Cove, together wth y^e Land called Matinicock Land, & likewise to make a Division of y^e said Land called Matinicock Land, & Land adjacent according to their Agreem^t; of all w^{ch} they are to give due & timely Notice to y^e Inhabitants of Oyster-Bay, Musketo Cove, & all others concerned that y^e said Lymitts & Bounds being duely & justly sett forth & layd out between them, y^e same may bee soe Recorded, & an End bee putt to all future Contests thereupon. And for whatsoever y^e s^d Persons chosen as afores^d shall lawfully Act or doe in prosecution hereof, this shall bee to them a sufficient Warrant. Given &c: this 2^d day of Aug: 1672.

G. E.
4: 176
(NYSL)1672
Aug. 2

[Francis Lovelace.]

To M^r Rob^t Jackson
Constable of Hempstead.

An Ord^r about M^r Terry
& the Matinicock Lands.

G. E.
4: 254
(NYSL)

Whereas y^e Busyness of Matinicock Lands hath long depended wherein the Inhabit^{ts} of yo^r Towne, & M^r Thomas Terry are concernd, w^{ch} being at length agreed upon for the Division though not hitherto done; Vpon Address made unto mee anew by M^r Terry, I doe reco^mend it unto yo^u

1672/3
Feb. 1

G. E.
4:254
(NYSL)

1672/3
Feb. 1

that upon his Coming to yo^r with this Paper, you doe according to y^e former Agreem^t forthwith appoint some Persons in behalfe of yo^r Towne to lay out the Bounds, & Division of the said Land, that Improvem^t may bee made thereupon according to the true Intent & Meaning of the first Grant. Given &c: this 1st of ffeb^{ry}. 1672.

[Francis Lovelace.]

To y^e Constable & Overseers
of Hempstead.

G. E.
4:259
(NYSL)

An Ord^r on behalfe of M^r Terry about
the Matinicock Land. &c:

1672/3
Feb. 17

Whereas I lately issued forth an Ord^r that according to Agreem^t between the Inhabitants of the Towne of Hempstead & M^r Thomas Terry & Company, the Land called Matinicock should bee layd out & divided, the w^{ch} hath mett wth some Obstruction by reason of the p^rtences of the Inhabitants of Musketoe Cove, who its said have made Purchase from the Indyans of the Timber of a considerable parcell of Land towards Hempstead or the Playnes, I have thought fitt to Ord^r that if there bee sufficient quantity of Land behinde the said Plantation of Musketoe Cove towards the North, the said Inhabitants shall in lieu of their p^rtences to the Timber of the Land on the South bee supplied wth an equall or better proportion both of Timber & Land to the North behinde them; The w^{ch} I doe hereby recommend both to the Inhabitants of Hempstead, M^r Terry, & Company, & those of Musketoe Cove, that there may bee an amicable Composure of this Difference between them. Given under my Hand &c: this 17th of ffebruary 1672.

[Francis Lovelace.]

No. LI.

NEW YORK CITY — LUTHERAN CHURCH AND
REV. JACOBUS FABRICIUS.

Commission for Alderman Lawrence, Captⁿ Lovelace, and M^r Pell to compose y^e Difference betwixt y^e Lutherans of this City.

G. E.
4:15
(NYSL)

These are to Authorize & Appoint you M^r John Laurence one of y^e Aldermen of this City, Captⁿ Dudley Lovelace, and M^r John Pell as Commission^{rs} to Examine & Enquire into y^e p^rsent difference between y^e Persons of the Augustane or Lutheran Profession in this City within the protection of these his Royall Highness his Territoryes; & that you Endeavour a peaceable Composure amongst them, and give mee an Acco^t thereof, for y^e doeing whereof this shall be your sufficient Warrant. Given under my Hand at fforte James in New Yorke this 5th day of June. 1671.

1671
June 5

Fran: Lovelace

An Ord^r about y^e Lutheran Memb^{rs} of this City.

C. A.
2:729
(NYSL)

At a Councell held at Forte James in
New Yorke y^e 29th day of June 1671.

Present

y^e Mayo^r & Aldermen
of the City.

The difference between y^e Lutheran Magist^r Jacobus Fabricius &c: & those of that Church that petiçoned against

1671
June 29

C. A.
2: 729
(NYSL)

1671
June 29

him being taken into mature and deliberate Consideraçon; It is orderd that all those persons of that profession who have consented or subscribed to y^e payment for the Church-House, that they pay their proporçons according to Agreem^t, and likewise that they pay or cause to be paid unto y^e said Magister their Pasto^r their proporçons of his Salary, untill y^e time of their late publique Disagreem^t, upon w^{ch} y^e Governo^r gave Commission to M^r Lawrence and others to examine into the same.

G. E.
4: 17
(NYSL)

Another Ord^r about y^e Lutherans in
Answ^r to a Petiçon they p^rferd
against their Minister.

1671
June 29

Whereas Complaint hath been made unto mee by diverse of y^e Lutheran or Augustane Congregaçon against Magister Jacobus Fabricius their Pastor wherein they Charge him wth severall Matt^{rs} unbefitting one of his Profession, And haveing this day Advised wth my Councell hereupon, & called to my Assistance some of y^e Court of Aldermen, wth other grave & sober Persons for y^e heareing of y^e same; but not findeing y^e one party ready to make good their Charge, nor y^e other well provided to make his Defence; I doe hereby Order and Appoint that y^e farther heareing of y^e Matter be deferrd untill Thursday next being y^e 6th day of July by two of the Clock in y^e Afternoone at y^e fforte; At w^{ch} time they are againe to make their Appearance; And y^e Complainants are to leave a Coppy of their Charge against y^e Magister at his House before Munday Night next, that hee may be prepared to make Answer to what is objected against him. Given under my Hand at fforte James in New Yorke this 29th day of June 1671.

F: Lovelace.

An Ord^r made on y^e Behalfe of Christiaen Pieters, concerning his being bound to M^r Asser¹ for parte of a House that was bought for y^e use of y^e Lutherans Congrega^çon.

G. E.
4: 16
(NYSL)

Whereas Complaint hath been made unto mee by Christiaen Peters that at y^e Instance & Request of diverse of his ffriends of y^e Lutheran Congrega^çon hee became bound to Asser Levy for a certaine Summe of Money due for a House w^{ch} was bought for y^e use & Benefitt of y^e Congrega^çon in Geñ^{ll}: y^e w^{ch} happening at p^rsent to be at some variance, diverse of them doe refuse to pay their propor^çons, to y^e w^{ch} they did formerly subscribe & give their Consents, soe that hee y^e said Christiaen Peters is like to be sued for y^e whole Summe w^{ch} may prove very much to his Da^mage; And there being likewise an Agreem^t made for y^e paym^t of a Salary to y^e Lutheran Pastor, w^{ch} is neglected to be paid by many of y^e Congrega^çon, in regard of y^e Difference between them. These are therefore to Order & appoint that Collection be forthwth made of y^e Money agreed to be paid for the House, according to y^e severall propor^çons sett downe in y^e List made by their mutuall Consent, soe that Christiaen Peters be saved harmless from his Engagem^t; and y^e persons who are behinde hand & in Arreare in paying of their propor^çons of y^e Salary due to y^e Magister, are likewise to satisfy y^e same untill y^e time of their publiq^ç Disagreem^t & Division in their Congrega^çon, & y^e Pasto^{rs} declareing his Resolu^çon to leave them. Given und^r my Hand at fforte James in New Yorke this 29th day of June. 1671.

1671
June 29

ffran: Louelace.

¹ Asser Levy.

C. A.
2:737
(NYSL)

An Ord^r about y^e Lutherans in
Answ^r to a Petiçon presented
by some of that Congregaçon
dissenting from y^e rest &c:—

1671
July 6

Whereas a difference hath lately arisen between some of y^e Lutheran Confession in this City, & Jacobus Fabricius their Pasto^r; whereupon Hendrick Williamsen, Bay Croesvelt, Johannes Freeze on y^e behalfe of themselves & others have p^rferr'd a Petiçon unto mee, desiring that they may have nothing more to doe wth their said Pasto^r, nor that hee may more molest them; As also that some person may be appointed to super-vize their Acco^{ts} & receive y^e money they have subscribed to for their Church, wth some other particulars in y^e said Petiçon sett forth; These are to Authorize & Appoint M^r John Laurence one of the Aldermen of this City and a Comission^r appointed to endeavour a Composure in this Affayre to supervize y^e Acco^{ts} of y^e Petñ^{rs}, & to receive y^e moneys w^{ch} already are or shall be Collected from y^e persons who have subscribed to pay the same towards y^e Church, as also to make an Entry according to their desire of all such Vtensills as doe belong to y^e Church, of all w^{ch} hee is to render mee an Acco^t & for soe doing this shall be his Warr^t. Given under my Hand at Forte James in New Yorke this sixth day of July. 1671.

Fran: Louelace.

G. E.
4:20
(NYSL)

An Answer to y^e last Petiçon of y^e Lutheran Minist^r, M^r Jacobus Fabricius, wherein hee requested liberty to give his Congregaçon a Valedictory Sermon, and to Install the new Come-Minist^r, according to y^e Custome used by those of their Religion.

1671
Aug. 11

The Contents of this Petiçon being very reasonable, & (as I am informed) according to y^e Custome of y^e Augustane

Confession, I doe very well approve thereof, & Grant the
Petit̃on^{rs} Request. Given under my Hand at fforte James
in New Yorke this 11th day of August. 1671.

[Francis Lovelace.]

G. E.
4: 20
(NYSL)

1671
Aug. 11

Liberty granted by y^e Governo^r to Martin
Hoofman a Memb^r of y^e Augustane Confes-
sion to goe to Delaware, to collect money
towards y^e Erecting them a Church.

G. E.
4: 88
(NYSL)

Whereas y^e Minist^r & Offic^{rs} of y^e Church of the Augustane
Confession or Lutheran Congrega^çon in this City under y^e
protection of his Royall H^s y^e Duke of Yorke have requested
my Lycence to build & Erect a House for their Church to
meet in, towards the w^{ch} They doe Suppose all or most of
their Profession will in some Measure Contribute, and there
being diverse of them in the South River at Delaware, to
w^{ch} place a Sloop being now bound a Conveniency p^rsents,
soe that they have pitcht upon Martin Hoofman to Negotiate
there for them; These are to require all Persons That they
permitt & suffer y^e said Martin Hoofman to Passe out of
this Porte in the Sloop belonging to Cap^t Martin Creiger
bound for New Castle in Delaware, and y^e Offic^{rs} there are
likewise required noe way to hinder or molest y^e said Martin
Hoofman in his Endeavo^r of Collecting y^e Benevolence of
such of y^e Lutheran Profession in those parts, towards their
Intents as afores^d Provided It doe noe way hinder, or tend
to make Division or Disturbance amongst y^e People, nor
shall Occasion y^e Breach of the Peace, the which all his
Mā^{ties} good Subjects are obliged to keepe. Hereof They are

1671/2
Jan. 16

G. E. not to fayle. Given under my Hand at fforte James in
 4:88
 (NYSL) New Yorke the 16th day of January 1671.

[Francis Lovelace.]

1671/2
 Jan. 16 To all whom this
 may Concerne.

No. LII.

NO MANS LAND (ISLE OF MAN) — GRANT.

C. A.
 2:558
 (NYSL)

A Graunt unto John Williams for a
 New Patent for y^e Isle of Man a^ts
 Nomans land.

1670
 June 28

Whereas John Williams one of y^e Patentees for y^e Island
 called No mans Land a^ts y^e Isle of Man, hath made his
 Adresse unto me to haue y^e said Patent renewed, The
 tyme graunted in the former Patent by my Predecesso^r for
 its settlement being Elapsed, And y^e said John Williams
 having rendred some reasons unto me for y^e same so that it
 doth not appeare to haue beene through his neglect but hath
 rath^r beene by y^e default of his Partners Upon newe Pro-
 posalls made unto me by y^e said John Williams to settle a
 fishing trade there, For his Encouragem^t therein, I doe hereby
 promise unto him y^e said John Williams & such Associates
 as he shall take. That upon surrend^r of y^e old Patent & his
 Engagem^t forthwth to prosecute y^e said Designe, he shall

haue a new Pattent graunted unto him for y^e said Island
upon y^e same termes as formerly or such oth^r reasonable
ones as shall be agreed upon, Given und^r my hand &
seale at ffort James in New Yorke this 28th day of June
1670.

C. A.
2:558
(NYSL)1670
June 28

[Francis Lovelace.]

No. LIII.

COUNCIL BUSINESS, JULY 8, 1671 — OMITTED
FROM THE MINUTES.

The Answ^r to M^r Booths Petiçon.G. E.
4:17
(NYSL)

Att a Councell held at fforte James in New
Yorke the 8th day of July. 1671.

The Governo^r & Councell haveing perused & seriously
taken into Consideraçon y^e Petitiçon of M^r John Booth of
Southold, wherein hee complaines of y^e hard measure hee
hath lately sustained by a Distress made upon his Goods for
an Arreare w^{ch} hee was Assessed to pay y^e Minister, the w^{ch}
hee had neglected or refused to doe, for that y^e Minister had
Denyed to Administ^r y^e Sacram^t of Baptisme to his Children
though tendred unto him for that purpose; They doe give
for Answer that there being an Indulgence or Dispensaçon
granted in y^e Booke of Lawes, as to that very particular,
to the Minist^{rs} then in being, of y^e East Rideing for their
Lives, The said Minist^{rs} cannot be compelled thereunto.

1671
July 8

G. E.
4: 17
(NYSL)

However It is Ordered that a Letter be written to y^e Minister of that Place, & Cõmunicated to y^e Inhabitants that more Charity and Moderaçõn be used towards his Neighbo^{rs} for y^e future.

1671
July 8

By Ord^r of y^e Governou^r
and Councill.

G. E.
4: 18
(NYSL)

The like Answ^r to y^e Petiçõn of Robert Dayton of East-Hampton.

At a Councill held y^e same day (viz^t y^e 8th
of July 1671.) at fforte James in New Yorke.

1671
July 8

The Governo^r & Councill haveing pused & seriously taken into Consideraçõn y^e Petiçõn of Robert Dayton of East Hampton wherein hee complains of y^e hard measure hee hath susteyned by being brought to y^e Court of Sessions in March last, & putt to unnecessary Charge there, about paym^t of what hee was Assessed to y^e Minister, w^{ch} y^e Offic^{rs} might have taken at home by Distress at a farr more easy Rate, neither had that Trouble been needfull had not y^e Minister denyed to Administer y^e Sacram^t of Baptisme to his Children, though tendred unto him for that Purpose, They doe give for Answer that there being an Indulgence or Dispensaçõn granted in y^e Book of Lawes as to that very particular, to y^e Minist^{rs} then in being of y^e East Rideing, y^e said Minist^{rs} cannot be compelled thereunto. However it is Ordered that a Lre be written to y^e Minister of that place, & cõmunicated to y^e Inhabit^{ts} that more Charity and Moderaçõn be used towards his Neighbours for y^e future.

No. LIV.

DELAWARE — MATINICONCK ISLAND, INDIAN
DEPREDACTIONS.

Łre from his Hon^r to y^e Governo^r of New Jersey
upon y^e Tydeings of y^e Murther committed upon
2 Christians at Matiniconck Island by y^e Indyans.

G. E.
4:35
(NYSL)

S^r

When I parted last wth you I left all y^e Well-wishes wth you
to accompany yo^r Intended Journey to Delaware; since w^{ch}
an Express is sent mee from those parts wth y^e Narraçon of a
horrid Murther co^mitted by y^e Indyans on two Christians at
Matinick Island, w^{ch} of Necessity will give an Interruption
to yo^r Intended Journey. The Indyans that have Committed
that horrid ffact are two in Number, & confessedly knowne by
them; Thier Habitaçon is at Suscunck 4 miles to y^e Eastward
of y^e Island, and soe appertaines to your Jurisdiction. I
would not in this Exigence Conclude on any Determinaçon
in point of Satisfaction and Revenge till I had acquainted
you wth it, from whom (I question not) I may Expect such a
Resolved Vndertakeing by you, as may Answer y^e Guilt of
that Christian Blood already spilt, and y^e Hono^r of y^e English
Nation now at Stake; I shall not enlarge my selfe further in
this Letter, referring all Circumstances to y^e relation of this
Bearer; and withall to assure you that I should be gladd to
conferr with you to putt Things into some posture as may
answer y^e End

1671
Sept. 20

My Service (I pray) to Captⁿ Carterett, whose I am as
Yo^r affeç^{ate} ffriend

Fran: Lovelace.

G. E. fforte James Wednesday about
4:35
(NYSL) 4 of y^e Clock. Afternoone.
Septem: 20th. 1671.

¹⁶⁷¹
Sept. 20 I rec^d y^e Express (w^{ch} I here send you)
but newly.

G. E. Some Resolves about y^e late Murther of 2
4:45
(NYSL) Christians at Matiniconck by y^e Indyns.

At a Councell held at fforte James in N: Yorke
by y^e Governo^r of these his Royall Highness
his Territoryes, & y^e Governo^r of New Jersey
y^e 25th day of September 1671.

¹⁶⁷¹
Sept. 25 Vpon Considera^çon had of y^e Barbarous Murder comitted
by some Indyns on y^e East side of Delaware River upon
2 Christians at Matiniconck Island, It is mutually Resolved
and Concluded on as follows.—

That Thomas Lewis now Bound wth his Sloop for New
Castle in Delaware River be stayed from his Intended
Voyage for y^e space of 3 or 4 dayes, when M^r Peter Alricks,
& M^r Henry Courturier will be ready to goe with him.

That in y^e meane time some Generall Instructions bee
drawn up for them to take along wth them, in Order to
the Managem^t of Affayres there in this p^rsent juncture of
time.

The Governo^r of New Jersey, & Captⁿ James Carterett
(then also p^rsent) being desired that they would give Order
for a Geⁿl Assembly to be called in that Governm^t (accord-
ing to their Constitu^çon upon all emergent Occasions)
soe to have an Acco^t of their Strength, and to know their
readyness if Occasion shall require, and how farr they will
be willing to contribute towards y^e prosecu^çon of a Warr

against y^e Indyans; They very readily gave their Consent thereunto, & promise to doe it with all Expediçon.

G. E.
4:45
(NYSL)

That a Gen^l and frequent Correspondence be kept between y^e 2 Governm^{ts} upon all Occasions, more particularly at this p^rsent time, & that nothing be done in this Busyness about y^e prosecuçon of y^e Indyans wthout a mutuall Advice & Consent of both y^e Governo^{rs}; unless upon some extraordinary Opportunity w^{ch} may p^rsent, where some advantage against the Enemy may suddenly be taken before Notice can be given.

1671
Sept. 25

That in y^e Meane time Henry y^e Loaper who brought M^r Toms Letter from Delaware about y^e Murther, be forthwith dispatcht back thither againe, wth an Answer thereunto.

Lre from y^e Governo^r to M^r Tom at
Delaware. Septem: 26th. 1671.

G. E.
4:40
(NYSL)

M^r Tom.

I received yo^r Lett^r of y^e 15th of Septemb^r 1671 by Hendrick Loaper, wherein you give mee an Acco^t of the Barbarous Murder of y^e two Christians on Matinicock Island by y^e Neighbour Indyans; I must confess I was much startled at y^e Narrative, and y^e rather in regard Captⁿ Carr had given mee lately soe full an Assurance, that all Things between you and y^e Indyans were soe firmly settled, that there was hardly any Roome left for any Distrust or Jealousy of them, betwixt you and them; much less that soe suddenly after they should break out into these unheard of Crueltyes & villanous Murth^{rs}, w^{ch} as their Crimes have noe Paralell, soe I am assured y^e Vengeance of God will never forsake us, till wee avenge y^e Blood of y^e Innocent on y^e Contrivers heads; Had my Directions been bravely & vigorously followed by you in the last sad Accident,

1671
Sept. 26

G. E.
4: 40
(NYSL)

1671
Sept. 26

I doubt not but it would have p^rvented this; & I pray God this Sin be not laid now to your Charge. I shall by this Conveyance Transmitt but little to yo^u in regard I know not how and when it may arrive you, but I reserve my more ample Instructions, w^{ch} I will send by Peter Alrick, who To-morrow will Imbarque in Tom the Irishman; However if this arrives you first I would have you to pretermitt noe time, but to bethinke how a Warr may be prosecuted on those Villaines; And in regard it will require some time, till all Things be brought in Order to y^e best Advatage of Compassing our Designe, I think it requisite that all y^e ffrontier Scattering Plantaçons be ordered immediately to thrash out or remove all their Corne, as likewise their Cattle, that soe they may receive y^e less Damage by the Effects of y^e Warr w^{ch} will ensue; Next that none (on paine of Death) p^rsume to sell any Powder, Shott, or Strong-waters to y^e Indyans, and that in y^e meane time you carry (if practicable) a seeming Complacency with that Nation by either Treaty or Traffick, that soe they may have y^e less mistrust of our Intended Designes; but if it can be soe contrived that that Nation will either Deliver up y^e Murtherers to you, or their Heads, you have then Liberty to assure that Nation of noe Disturbance till I am acquainted therewth; The Governo^r of New Jersey & Capt James Carterett are acquainted wth all o^r Resoluçons, who this Day repaires from hence to his Government to settle all Things in Order to y^e bringing those Villaines to condigne Punishm^t, hee is very hearty & zealous in that Affaire; & I am assured wee may depend on a handsome & considerable Supply & Assistance from him; I charge you lett mee heare from you on all immergent Occasions, & bethinke yo^r selves of y^e prosecuting of a Warr, & therefore make y^e best preparaçons in Order to it; If a good Worke were

throwne about Matinicock House, & that strengthened wth a considerable Guard, It would be an admirable ffrontier; & from thence wee might proceed to an Execuçon when all Things are in readyness thereunto. I am sorry to heare Captⁿ Carr is soe ill as you relate him; I hope hee may in some reasonable time recover strength enough to follow this Affaire; w^{ch} if at this time I had not soe many different & considerable Affaires to Dispatch, you should not have receiv'd a Letter from mee, but my own person.

I have nothing more at the p^rsent to Add, but to assure you that I am

Yo^r very affectionate ffriend

ffran: Louelace

[Lovelace to Carr.]

fforte James New Yorke
Septemb^r y^e 28th 1671.

G. E.
4:40
(NYSL)

1671
Sept. 26

Captⁿ Carr.

M^r Tom has rendred yo^r sick Condiçon soe to mee that I was disheartned to direct my Ļre to you w^{ch} I last sent, for feare it should not have found you in this World; However haveing promis'd to write to you by Tom y^e Irishman, I shall now Cancell that Obligaçon; By y^e Express I return'd I gave a full & satisfactory Answ^r to that Lett^r M^r Tom sent mee, concerning y^e barbarous Murd^r of those two poore Christians, & though I promis'd to send you by this fuller Instructions, yet I did not apprehend I should be soe copious in that Ļre as at last it proov'd & therefore haveing advis'd wth y^e Duplicate, (w^{ch} I send you here inclosed) I finde little Addiçons to be affixt; And therefore till I receive fresher Informaçons from you, you may guide yo^r selfe by those Rules I then p^rscribed. But in regard it will be impossible for mee & the Councell at this Distance to direct you punc-

G. E.
4:50
(NYSL)

1671
Sept. 28

G. E.
4: 50
(NYSL)

1671
Sept. 28

tually in this Affaire how you shall steer yo^r Course, wee must therefore reserve that to yo^r prudent Managery, In w^{ch} I would have you allwayes to take deliberate Advice from y^e Commissaryes before you putt in practice any of yo^r Intended Designes, & be sure on all Occasions to Advertize mee of yo^r motions.

Lett not y^e People flatter themselves wth any hopes of an Accomodaçon in patching up a present peace, for the perfidious Dealing of y^e former Sachems, has now sufficiently awakened o^r English Hono^r (w^{ch} I hope will never be sullied) to bring them to a full Satisfaction for that Christian Blood soe lately spilt.

The Governo^r of New Jersey is stept into y^e worke, & in order thereunto has now call'd an Assembly, y^e good Effects whereof by y^e next you shall more largely understand, In y^e meane time omitt noe opportunity; & if you can finde such an Advantage on y^e Enemy as (in all humane probability) you may promise your Selves a good Success, in Gods name prosecute it, & God bless you.

Wee have had an Indyan or two from those parts, who declare that that Nation is in great Apprehension of us, & looke on themselves as lost. They have tamper'd wth some other Nations to Assist them, but have been totally refused. My Service to all o^r ffriends, & faile not to lett mee heare from you.

Yo^r affec^{ate} Friend. Fr: Louelace

G. E.
4: 56
(NYSL)

[Lovelace to Captain Philip Carteret.]

To Captⁿ Philip Carterett.

Hon^d S^r

1671
Oct. 20

I received an Acco^t of yo^r Proceedings at yo^r Geñ^l Court of Assembly, concerning the putting yo^r selves into a posture

to avenge y^e Murther co^mmitted by some Indyans on two
Christians at Matinico^{ck}, w^{ch} I heartily thank you for;
It being in Ord^r to that Geⁿ^l Agreem^t made betwixt us,
that nothing should be Acted in that Affaire, wthout a
mutuall Consent. Since I had y^e ffavo^r of yo^r Company I
have (besides that Letter you saw) had y^e opportunity of
sending two more, to witt, One by Peter Alrijck, y^e other by
Williams who was resolved to passe that way wth some
Horses; All importing what Resolu^{co}ns wee had mutually
taken to stop y^e Insolencyes of y^e Indyans; How y^e affaires
stand there at p^rsent I am ignorant of, till I receive an Express
from thence (w^{ch} I hourelly expect) & I will assure you it
shall noe sooner arrive my Hand till I transmitt it to yours,
& if it shall soe happen (by any Interruption) y^t my Messeng^r
is intercepted, I am resolved to make a Journey over thither
my selfe, To w^{ch} I shall now have a greater Zeale, since Capt.
Carterett has p^mised mee to beare mee Company; In y^e
meane time I am glad to understand y^e Complacency of yo^r
Assembly to bee sutable to yo^r proposi^{co}ns, & that when y^e
publique Interest is concern^d, they will step soe frankly
to y^e supporta^{co}n of it. I have noe more but to assure yo^u
that I am wth great kindeness

Yo^r affe^c^{ate} ffriend & Serv^t

Fran: Louelace.

Forte James Octob^r20th. 1671.G. E.
4:56
(NYSL)1671
Oct. 20

[Tom to Lovelace.]

Col. MSS.
20:24
(NYSL)25th of October 1671Right Hono^{ble}

by this conveyance I shall informe yo^r hono^r that M^r
Aldricks and my selfe going vp the river wth a pfect intention

1671
Oct. 25

Col. MSS. 20: 24
(NYSL)
1671
Oct. 25

wth yo^r hono^{rs} order this winter to make a warr and there advising wth the Sweedes about itt there miserable moane for the losse of their beasts for want of Hay and the considera^õn that the winter being so neare att hand that itt was impossible for ice to build a strenght [*sic*] att Mattinacunck and to lay in provisions there w^{ch} must bee for when men march they must not co^me hither every six or seaven dayes for victualls therefore before wee begin a warr provision must be layd in all convenient places itt may be yo^r hono^r att first sight may looke vpon the warr as frivolous but way itt further and yo^r hono^r will find that all the Kings interest in this part of the world depends vpon itt (for this river lying in the middle and the worst to be wonne from the Indians by reason of the broken lands and Crewples w^{ch} are a shelter for them ag^t any Christian force wthout helpe of other Indians) if deserted Mary land has noe strenght [*sic*] to follow them here for want of provisions and distance of place and so cutt of by degrees and Virginia much lesse for the same reason the Indians as is dayly found not caring bee itt middle winter to march 4 or 5 hundred mile for 2 or 3 heads of Haire much more when they can have that with plunder how New Jarsey stands yo^r hono^r best knowes then if yo^r hono^r concludes wth vs this river must vpon necessity be maintayned were itt for noe other reason as a magazine for the rest of his Ma^{ties} territoryes hereabouts and refreshing w^{ch} cannot otherwise be done as wth men money and ammunion for at p^rsent a little money in regard to the Kings purse w^{ch} ought always to be open vpon such affaires may be may stop this issue of bloud w^{ch} is likely to ensue when afterwards thousands will not doe itt here is rumo^r co^me by the Indians that the Assawack Indians they who were the murtherers of John the Capers sonnes wth the rest have since killed an Englishman and that S^r William is in psuite

of the murtherer tis but Indyan neues therefore beleive as yo^u please I have hereby this oppertunity sent yo^r hono^r Collonell Scarboroughs his letter w^{ch} was mislayd another report wee have from Maryland by Patrick Carr one of o^r soldiers an honest fellow and noe statesman and not likely to rayse such reports if not true that M^r Charles Calvert Leivetenat of Mary land has sent vp order to M^r Augusteene¹ and the rest in the head of the bay that they stand vpon there guard and likewise that so soone as the new Governo^r co^mes he shall send him notice and he will give him a meeting therefore wee conclude that if yo^r hono^r have noe advice for the exchange he has itt there being two ships arrived att Pattuxunt if thought convenient that wth the next sloop 25 soldiers were sent itt would much depresse the Indyan courage and assist vs but betimes in the spring a greater supply of men and if possible Northerne Indyans when o^{rs} are coming from there hunting quart^{rs}

Col. MSS.
20:24
(NYSL)1671
Oct. 25

I thinke I need not write further M^r Aldricks and M^r Helme co^ming wth this onely presse yo^r hono^r to weigh this seryously and send vs full supplyes yo^r hono^r must pick out my meaning for my finger is so soare I can hardly lay itt to the paper further I have sent to Cap^t Howell to know the certainty of these reports w^{ch} yo^u may expect to heare by Thomas Lewes but desire that noe provision may be exported out of this river vntill yo^r hono^r has fully discussed this business noe more att p^rsent but I am

Right Hono^{ble} yo^r hono^{rs}
most Humble serv^t
Witt Tom

¹ Augustine Herrman.

Col. MSS. *Addressed:*

^{20:24}
(NYSL)

¹⁶⁷¹
Oct. 25

for the Right Hon^{ble}
Collonell ffrancis Lovelace
Esq³ Co^mmander in Cheife
of all the forces belonging
vnto his Royall Highnesse
[Seal] the Duke of yorke and
Governo^r of New yorke
these p^rsent
I^m

Endorsed: M^r Toms Letter
to the Governo^r
Delaware — Oct^r 25
1671
about the
Murder.

Col. MSS. [Commissaries and Magistrates at Delaware to Lovelace.]
^{20:39}
(NYSL)

Right Hon^{ble}
[¹⁶⁷¹
Oct. 25?] the Indyans not bringing in the murtherers according to
their promise I went vp wth M^r Aldricks to Peter Cocks
and there called the Raedt together to informe yo^r hono^r
what wee thinke most for o^r preserva^{co}n and defence of
the river

first wee thinke that att this time of the yeare itt is to late
to begin a warr ag^t the Indyans the hay for o^r beasts not
being to be brought to any place of safety and so for want of
Hay wee must see them starve before o^r faces the next yeare
wee can cutt itt more convenient

2^{dly} o^r corne not being thrashed or ground wee must starve

Reds not most all of them but to improve
 Road which they own is not so good as the

is many no

that if we sell the 12 to the
 100 or 100 North of the
 will do more than 200
 100 in the road

Right Hand of
 to Road of the
 for

W. H. G. M.

Ed. of the Road

W. H. of the Road
 D. B. C.

W. H. of the Road
 D. B. C.

W. H. of the Road

W. H. of the Road
 D. B. C.

SIGNATURES OF COMMISSARIES AND MAGISTRATES
 AT THE DELAWARE.

(Reduced from 7 by 7 inches.)

for want of provision w^{ch} this winter wee can grind and
lay vp in places of safety

Col. MSS.
20:39
(NYSL)

3^{dly} that there must vpon necessity a warr in the spring
and by that time wee shall make so much as wee can pre-
paraçon but wayte from yo^r hono^r assistance of men ammuni-
tion and salt

[1671
Oct. 25?]

4^{thly} wee intend to make Townes att Passayvncke Tinna-
combe Vpland and Verdrieties Hooke whereto the out
plantaçons must retire

5^{thly} wee thinke that yo^r hono^{rs} advice for a frontire about
Mattinacunck Island is very good and likewise another att
Wicaquake for the defence whereof yo^r hono^r must send men

Is there any thing else vnwritten wee have sent M^r Ald-
ricks and M^r Helme to advice yo^r hono^r what is best
to be done but intend to stop Thomas Lewes vntill yo^r
hono^{rs} order for wee thinke itt not convenient any corne
or provision be sent out of the river vntill this bruit be
over for wee know not the next yeare whether wee shall
have any corne or noe wee have not more att p^rsent but
to informe yo^r hono^r that Cap^t Carr is not recovered but
remayne

Right Hono^{ble} yo^r hono^{rs}
most humble serv^{ts}

Wit^t Tom

that if possible there be Hired
fifty or sixty North Indyans
who will doe more then 200
men in such a warr

the m^{ke} of X peter Rambo
the m^{ke} of X peter Cock

H: Block
Henrich Janssen
Ed: Cantwell
M: Roseman
Dit is het merck
van X Ole torsē

Col. MSS.
20:39
(NYSL)

[1671
Oct. 25?]

Endorsed:

The Result & Reasons
of the Cõmissaries &
Magistrates at Dela-
-ware about Prosecũon
of the warre against
the Murderers

1673.¹

G. E.
4:63
(NYSL)

Commission given to y^e Offic^{rs} at Delaware to
try & putt to Death y^e Indyan Murtherers
if to be taken or apprehended.

1671
Nov. 9

Whereas there hath lately been cõmitted a Barbarous
& horrid Murd^r upon y^e persons of two Christians at Matini-
conck Island in Delaware River by two Indyan well known
in those parts, for y^e w^{ch} They have deserved Death; &
since severall wayes & meanes have been and still are
Ordered to be Endeavoured for y^e app^hending & taking y^e
said Murderers alive (if possible) y^e w^{ch} may suddenly
happen, & it being not thought safe to keep them in Prison
soe long till Notice thereof bee given hither, but rather
that speedy Justice & Execũon bee done upon them; I
have therefore by and wth y^e Advice of my Councell thought
fitt to Authorize & Appoint, & by these p^rsents doe Authorize
& Appoint, & by these p^rsents doe Authorize & Appoint
y^e present Offic^{rs} & Magistrates in New-Castle & Delaware
River, or any foure of them to bee a Speciall Court of Oyer
& Termin^t to call y^e said Malefactor^{rs} before them, & if by
Proofe or Confession they shall bee found guilty, That they
receive y^e Sentence of Death, forthwth to bee putt in Execu-

¹This date is an error, as the document evidently was an enclosure in the
letter from Tom to Lovelace of October 25, 1671.

con; And for what They or any foure of them shall lawfully
 Act or Doe in prosecution of this my Commission, This
 shall bee to them or any of them a sufficient Warrant and
 Discharge. Given under my Hand, & Sealed wth y^e Seale
 of y^e Province at fforte James in New Yorke this ninth day
 of Novemb^r in y^e 23th yeare if this Mā^{ties} Reigne, Annoq̃
 Dñi 1671.

G. E.
 4:63
 (NYSL)

1671
 Nov. 9

[Francis Lovelace.]

Łre from y^e Governo^r to Cap^t Carr at G. E.
 Delaware, Dated Novemb^r 9th 1671. 4:67
 (NYSL)

Cap^t Carr.

The backwardness of y^e Inhabitants in Delaware has putt
 a stop to y^e forwardness of those in New Jersey who were
 ready wth a handsome Party to have stept in y^e Worke to
 bring y^e Murderers to condigne punishm^t. And truely I
 was much ashamed to see such an Infant Plantacon to out-
 strip us, who should have been rather an Example to others
 then to follow them; especially haveing y^e Countenance of a
 Garryson to Boote, & You y^e principall Officer; What Acco^t
 I shall give to his Royall Highness of this remissness I know
 not other, but to lay y^e blame where it justly is due; ffor,
 you to receive y^e Dukes pay constantly, & y^e appearance of
 Souldyers, and to lett y^e Forte runn soe miserably to Decay,
 & not employing them in y^e reparacons when They did noe
 Duty is but just a perfect Rent Charge to y^e Duke; ffor it
 is not reasonable that his R: H^s should be at that Charge,
 only to allow you a Sallary & Souldyers, and noe ffruits
 appeare of their Labour and Industry; Tis otherwise soe at
 Albany, w^{ch} Garryson in noe respect exceeds yo^{rs}, and yett
 Salisbury wth his Men have made shift to refortify that place
 very secure; Besides y^e Inhabitants not soe much as digested

1671
 Nov. 9/10

G. E.
4: 67
(NYSL) into any Military fforme, nor halfe of them Armed, though
you have had annually Monito^{rs} of y^e Murthers committed
on yo^r Inhabitants; Beleeve mee, This remissness will one
1671
Nov. 9/10 day be calld upon; & how you will Answer it, you best know,
though I feare.

What hath now been concluded on will be brought to you
by Peter Aldrick, to w^{ch} I expect a punctuall Compliance at
yo^r perrill. I intend early in y^e Spring to be wth you, by
w^{ch} time I hope you will contrive it soe, that y^e Murderers
may be brought in dead or alive, and likewise y^e former
Murtherers of the Woman & Children at y^e Parde Hooke;
Something must be done considerably to wipe off that
Stayne of yo^r Remissness, or I can not now determine what
penaltyes may ensue; I have both formerly & now Trans-
mitted all y^e Insolency of y^e Indyans to his R: H^s, whose
Answ^r I expect, till when I say noe more on that Subject.
I am

Yo^r Loveing Friend
Fr: Louelace.

Forte James y^e
10th Novemb^r
1671.

My Love to all o^r ffriends.

Col. MSS.

20: 25
(NYSL)

S^r

[Carr to Lovelace.]

1671
Nov. 27

I receaved your Hon^{rs} letter by Petter Aldricks wherin
your Hon^r seemes to lay all the blame vpon me, for my
remisnese in not getting the murtheres, both for the woman
at Pertt hooke and allsoe for the murther now last Comitted,
S^r as for the first when it was done I was comeing for new
york, but hearing of that sad accident returned back,

making your Hon^r acquainted of the murther, after which I receaved your Hon^r order for to gett the murtherers to be brought to Condigne punishment, your order I did follow, for I went vp the River to the Magastrats, who sent for the Sachams, who excusd themsealfs that his men had not done it another saied the like, I knew not the villans nor theyr names that Comitted the fact, soe that from the time I receaved your Hon^{rs} order I was Continually aboute the River demaunding the murtherers with as much vigor as I could; I was not alone but the rest of the magastrats was there, soe that my Conscience shall wittnes that there was noe remisnes of my part, and I beseech god that all my sins be remitted soe Cleare as that, as for the last murthers Comitted I was at the same time desperat sicke, and hath Continued to this day that I haue not been without my doores; but I hope now Doctor Jardin is with me he will vsse his best skill to take away my violent fever, soe that I hope your Hon^r will excuse, what god doth inflict vpon me by sicknes, soe there could be noe remisnes of my part, in getting the last murtherers, being I was not able to sture abroad If any one can proue that I haue been backward in not following your Hon^{rs} orders from time to time ore hath not done to the vtmost of my endeavouer to gett the murtherers, then lay a penalty vpon me, but not without Cause, allsoe lett me Answer for my sealf as for the backwardnes of the Inhabitants of this River in raiseing forces as well as new Jarsy your Hon^r must excuse me though the Cheife Comaunder, for I was not able to goe abroad, and trully new Jarsy had a great deale of reson being the murtherers liued within theyr Juradiction, when your Hon^r gaue me my first Instructions I was allowed twenty souldiers out of that number was discharged by Col^t Nicolls and some by your Hon^r, fower died soe that we was reduced to ten, I had a

Col. MSS.
20:25
(NYSL)1671
Nov. 27

Col. MSS. strict orders from Coff Nicolls not to raise a man without
 20:25
 (NYSL) your Hon^{rs} Consent which I observed, vntill your Hon^r gaue
 me order for raising of men when the woman and Children
 1671
 Nov. 27 was murdered, and when I came last from thence, your
 Hon^r gaue me order to dismise them, which I did soe that
 your Hon^r will find by my account with M^r Bedloo that there
 is but ten old souldiers, and how it is posible for me with
 ten men to repaier such a decayed fort whilst I was there
 it Cost me mony for the repaier of the houses, though your
 Hon^r knowes you could not ly dry in your bed when you
 lay there, had I a gaurd house, and souldiers sufficient to
 mount gaurds I should be as ready as any officer belongs to
 your Hon^r, soe that if I receave pay soe long as I haue Com-
 ision and being not reduced, we was sent over by his Royall
 Highnes for souldiers, and if I be able, and in health, I
 shall goe as farr to doe my Prince service, to any place
 where your Hon^{rs} order shall Comaund me, S^r Peter Alricks
 M^r Tom and the rest of the Swead magastrats spook with
 the Sachams, who promised by friday last to bring theyr
 heads but since heere is noe newes from aboue, but assoone
 as it come we will send your Hon^r the newes, I haue noe
 more but that I ame Your Hon^{rs} obedient servant

John Carr

New Castle 27th
 Novemeber 1671

Addressed:

Thesse
 ffor Generall ffrancis
 Louelace
 New Yorke
 [Seal]

Endorsed:

Capt. Carre to y^e
 Governo^r Newcastle
 Novemb. 27. 1671.

as for the backwardnes of the Inhabitants of this
 River in raising forces as well as new supply your Honor
 must excuse me though the Chief Comander for I
 was not able to go abroad, and truly new supply had
 a great deal of reason being the murderers lived with
 in their Jurisdiction, when your Honor gave me my
 first Instructions I was allowed twenty soldiers
 out of that number was discharged by Coll Nicolls
 and some by your Honor's order, so that we
 was reduced to ten, I had strict orders from Coll Nicolls
 not to raise a man without your Honor's Consent
 which I observed, untill your Honor gave me order for
 raising of men when the woman and Child was
 murdered, and when I came last from thence, your
 Honor gave me order to dismise them, which I did so
 that your Honor will find by my account with Mr Bedloe
 that there is but ten old soldiers, and how it is possible
 for me with ten men to repair such a decayed fort
 whilst I was there it cost me money for the repair of the
 houses, though your Honor knows you could not by origin
 your bed when you lay there, had I a guard house, and
 soldiers sufficient to mount guardes I should be as ready
 as any officer belongs to your Honor, for that if I receive
 pay so long as I have Comission and being not rewarded,
 we was sent over by his Royall Highness for soldiers,
 and if I be able, and in health, I shall goe as farr
 to doe my Prince service, for to any place where your
 Honor's order shall Comaund me, Sr 4th Decr Mr
 Com and the rest of the Swed magistrates took with
 the Sachams, who promised by Friday last to bring
 their heads, ~~here is not~~ ^{but} news from above, but appears as it comes
 not to be good your Honor the news, I have not
 but that I am your Honor's obedient servant
 new Castle 27th
 november 1671

John Carr.

SECOND PAGE OF CAPTAIN CARR'S
 LETTER TO GOVERNOR LOVELACE
 November 27, 1671.

(Reduced from 13, by 8 inches.)

Coppy of y^e Lre from M^r Tom of G. E.
Dellaware to his Hono^r y^e Governo^r 4:74
(NYSL)

R^t Hoⁿble

About 11 dayes since that M^r Alrijck came from New York, y^e Indiyans desired to speake wth us once more concerning y^e Murtherers; Whereupon They sent for mee to Peter Rambers, where comeing They faithfully promis'd wthin y^e time of six dayes to bring in y^e Murderers dead or alive; Whereupon They sent out two Indiyans to y^e stoutest to bring him in, not doubting easily to take y^e other, hee being an Indyan of little Courage; but y^e least Indyan getting Knowledge of y^e Designe of y^e Sachems, rann to Advise his ffellow, & advised him to runn, or else They should be both killed; who answered him hee was not ready, but in y^e Morning would goe wth him to y^e Maques, and advised him to goe to y^e next House for feare of suspicion, w^{ch} hee did; and y^e two Indiyans comeing to his House at Night, the one being his great ffriend, Hee asked him if hee would kill him, who answered, Noe; But y^e Sachems have Ordered you to dye; Whereupon hee demanded what his Brothers said, who answered They say y^e like; Then hee holding his Hands before his Eyes said — Kill mee: Whereupon this Indyan that comes wth Cockee shott him with two Bullets in y^e Breast, and gave him two or three Cutts with a Bill on y^e Head, & brought him downe to Wickakoe, from whence wee shall carry him To-Morrow to New-Castle, there to hang him in Chaynes; ffor w^{ch} wee gave to y^e Sachems five Match-Coats, w^{ch} M^r Aldrick paid them; when y^e other Indian heard y^e Shott, in y^e night naked as wee [*sic*] was, hee rann into y^e Woods; But this Sachem promised to bring y^e other alive; ffor w^{ch} wee have promised them three Match-Coats. The Indiyans brought a great

Recorded
1671
Dec. 15

G. E.
4:74
(NYSL)

Recorded
1671
Dec. 15

many of their young Men wth them, & there before us They openly told them, That now They saw a Beginning; & all that did y^e like should be served in y^e same Manner; They promised before them and us, That if any other Murd^r were co^mmitted by y^e Indiyans upon y^e Christians, That They would bring y^e Murderers to us; How to believe this wee know not, but y^e Sachems seem to desire noe Warr. Wee have promised them That yo^r Hono^r will be over in the Spring; & y^t when yo^r Hono^r comes, yo^r Hono^r will bring over Thirty or fourty Horse, w^{ch} They need not feare, for that yo^r Hono^r will not trouble them if they hold y^e Peace, but Enter into a Treaty with them; The Stoppage of y^e Letter caused That yo^r Hono^r had not Tideings by Thomas Lewis. I shall not now give yo^r Hono^r any further Trouble at p^rsent, untill farther Occurrences, but remaine

Right Hoⁿ^{ble}

Yo^r Hono^{rs} most humble

Serv^t

W^m Tom.

Wee have promised y^e Indiyans that come over wth these £res each a Match Coate, & a Cleat-Cloth, w^{ch} wee desire yo^r Hono^r to pay there; The reason that wee promised is, That Cocke was unwilling to goe over in this juncture of time; not knowing how y^e young Men of y^e Indiyans stood affected; Hee alwayes liveing by y^e Christians; Therefore wee sent one of y^e greatest Sachems Sonns, (by name Colecocom) to secure him and y^e Lett^{rs}.

Entred y^e 15th Decemb^r

1671.

Coppy of y^e Governo^{rs} Lett^r sent to M^r Tom
of Delaware, in answ^r to his Last.

G. E.
4:78
(NYSL)

M^r Tom.

The wellcome Newes of y^e Success of y^e Indyan Affayre in yo^r parts came safely to my Hands by Cokee, by whom I returne this, & withall not only my approbaçon in what you wth y^e Co^mmissaryes have Acted, but likewise my Thanks to you all for pushing of it to that Issue, w^{ch} if not vigorously performed would have render'd y^e Remedy more hazardous, if not desperate. I very well like yo^r Resoluçon of hanging up y^e Villaines Body in Chaynes, And I doubt not but the Novelty of it may produce good Effects, to restrayne the Exorbitancyes of any Indyan from the like Attempts. Tis more than probable that if the Blow were now a little followed (whilst y^e Savages labour under great ffeares) That the Murtherers that committed that horrid Act at Parde-Hooke might taste y^e same Fate wth him you have designed for to hang in Chaynes; & therefore if y^e Villaines can be heard off, make y^e like Challenge of them to y^e Sagamores you did for the last, but this must bee whilst y^e ffeame of y^e last Action continues fresh, otherwise I feare it may prove fruitless. If y^e other Villaine be delivered to you alive, lett him suffer in y^e most Exemplary way that may bee, Leaving y^e manner & place to yo^r selfe: And pray lett mee heare from you. In y^e Spring I purpose to see you, but shall finde a way to advertize you timely before hand. In y^e meane time, God preserve you all in Peace and Happynesse, w^{ch} is y^e hearty Desire of

1671
Dec. 22

Yo^r affeç^{ate} friend

Fran: Louelace

fforte James. y^e 22^d

of December 1671.

My Service to Cap^t Carr

& all o^r ffriends.

No. LV.

NEW YORK CITY — AFFAIRS OF THE SHIP
“EXPECTATION”G. E.
4:93
(NYSL)An Ord^r to M^r Van Ruyven, requireing
him to give M^r Melijen his Dispatch.1671/2
Jan. 18

Whereas the Ship the Expecta^{co}n whereof Isaack Melijen is Part Owner and Commander, hath been questioned in this Porte to be an unfree Shipp, but by a Speciall Court of Oyer and Terminer was Cleared and adjudged to bee a ffree Shipp, which Judgm^t of Court I have allowed & approved of, These are to Advertize you that you may give the said Ship her Dispatch; M^r Melijen giveing Security to returne back with her to this Porte. Given under my Hand at Forte James in New Yorke this 18th day of January 1671.

Fran: Lovelace.

To M^r Cornelijs Van Ruijven
Collecto^r of the Customes.G. E.
4:93
(NYSL)

[Registration of Isaac Melyn's Bond.]

Jan^{ry} y^e 19th 1671.1671/2
Jan. 19

Mem^{dm} this day M^r Isaack Melijen Command^r of y^e good Ship the Expectation bound for Nevis Enter'd into an Obligation (with Jacob Kip his Security) of 500th to the Governo^r to returne hither againe within one yeare & six Weeks after the Date hereof.

[Sailing Pass for the Ship "Expectation."]

G. E.
4:96
(NYSL)Jan^{ry} y^e 24th 1671.

Pass granted to y^e Shipp Expecta^{con} (Isaack Melijen Commander) to sayle hence for Nevis in y^e West Indyas, & to returne againe &c:

1671/2
Jan. 24

[Declaration concerning the Ship "Expectation."]

Deeds
3:145
(Sec. State)Novem: 18th 1672

Recorded for M^r Melijen & Company of the Ship
Expectation.—

This day appeared before mee John Rider Publique Notary in this City of New Yorke, Thomas Williams Command^t of the Ship Expectation & Charles Bollen his Mate, in the behalfe of themselves & Ships Company to make a Solemn Protest as followeth; (to say They sett Sayle the 2^d day of this instant, from this Road to Staten Island, & on y^e 4th finding noe Insufficiency in the said Ship did weigh, & sayle out to Sea fully intending to proceed on their Intended Voyage for Barbados, & about Eight of the Clock that night doe declare, that they sounded the Pump, & found about five or six Inches Water, Then they sayled from Eight till Twelve that night, Topsailes abroad, Then handing y^e Topsailes w^{ch} by stress of Winde, Weather, & Grown Seas they could noe longer beare; However they neglected not their Charge or Care, but sounded the Pump againe, & found little or noe increase of Water, by w^{ch} they cannot complayne of the said Ships Insufficiency; soe they ran under a paire of Courses untill Eight next Morning, Then without sounding sett the Pump to worke till it suckt; betwixt Eleven

1672
Nov. 9Recorded
1672
Nov. 18

Deeds
3:145
(Sec. State)

1672
Nov. 9

Recorded
1672
Nov. 18

& Twelve they sounding to see if there were Occasion to Pump, they found foure foot Water in the Hould, upon w^{ch} they handed the ffore-Saile, laying their Ship upon the Lar-board side, then pump't her againe untill shee suckt, & sayled soe for halfe an houre, & made noe Water in the Hould; then they finding Occasion to tack, & bring her againe on the Starr board side shee presently took in Water as aforesaid, upon w^{ch} at the request of all the Merchants, & full Consent of y^e whole Company, who adjudged the Stress of Winde & Weather was the only Cause, they bore up the Helme for this Porte, for p^rservaçon of their Lives; Therefore I the abovesaid Notary doe hereby in behalfe of the Owners, Command^r, Mate, & their Company solemnly protest against the Winde & Seas as the only Occasion of what Damage may arise, & against all Damage or Damages that by this danger of the Seas (w^{ch} is allwayes excepted) any Merchant or ffreighter shall pretend to or sue for, either for the insufficiency of the said Ship, or Disability of Men for not proceeding on the Voyage aforesaid, the w^{ch} the Commander, Mate & Company will depose to bee the Truth, when thereunto required, To w^{ch} publick Instrum^t of Protest I have hereunto sett my Hand & Seale this 9th day of Novemb^r in y^e 24th yeare of his Mā^ties Reigne, Annoq³ Domini 1672.

(Seale)

Jo Rider

No^t. pu^b:

This Protest was acknowledged by y^e Co^mander & Mate to bee just before mee y^e day above-written, & entred in the Office of Records at fforte James in New Yorke.
Matthias Nicolls Secr.

The Governo^{rs} Approba^{co}n, that y^e Difference
depending between Isaack Melijen & y^e
ffreight^{rs} bee decided by Arbitrato^{rs}

G. E.
4:242
(NYSL)

1672
Dec. 16

Whereas there hath been a Difference depending between the Mast^r & ffreighters of the Ship Expectation now riding in this Harbour, the w^{ch} although referred to severall judicious persons to endeavour a Composure, & also a Tryall had thereupon at y^e Mayo^{rs} Court of this City, could not bee hitherto issued or attained unto, & since the persons concerned on both parts having againe made their Applicaco^{ns} unto mee that foure persons on each side might bee nominated and appointed as Arbitrato^{rs} to hear & determine y^e Matter in Controversy, whose Award they have promised to enter into Bond that they will stand unto; I doe hereby give Approba^{co}n of the Proposall made, & the Gentlemen whose names are here under written (the denomination of them having been given in & consented unto by the persons concerned) are hereby desired to meet about the same this Afternoone, or at their first convenience, that soe a Determina^{co}n may bee had & made to this Affayre without farther delay. Given &c: this 16th day of Decemb^r 1672.

[Francis Lovelace.]

The Names of y^e Arbitrato^{rs}

M ^r Jn ^o Laurence — Mayo ^r	M ^r Cornelis Steenwijck
Cap ^t Thomas De-Lavall	M ^r Matthias Nicolls
Cap ^t Jn ^o Berry	M ^r ffranc: Rombout
Cap ^t W ^m Condey	M ^r Guislaine Verplanck

No. LVI.

DELAWARE — THE SLOOP "ROYAL OAK,"
THOMAS LEWIS, MASTER, PERMITTED TO
TRADE ON THE DELAWARE RIVER.

G. E.
4: 49
(NYSL)

Pass for Thomas Lewis his Sloop to
Delaware. Septemb^r y^e 29th. 1671.

1671
Sept. 29

Permitt and Suffer y^e Sloop y^e Royall-Oake whereof
Thomas Lewis is Master, to Pass out of this Porte with her
Goods, Loading, and Company to New Castle in Delaware
Bay, and (at this particular juncture of time) from thence
to goe up y^e River to Trade and Traffick as y^e said Master's
Occasions shall require, notwithstanding any Generall
Order or Prohibiçon heretofore made to y^e Contrary. Given
under my Hand at fforte James in New Yorke this 29th
day of September 1671.

Fran: Louelace

To all whom this
may concerne.

G. E.
4: 64
(NYSL)

Thomas Lewis being stopt (wth his Sloop) at Delaware
is hereby freed, & hath Liberty to returne &c:

1671
Nov. 9

Whereas Thomas Lewis had my Pass-porte to sayle wth
his Sloop to New Castle in Delaware, wth Lycence from
thence to goe up y^e River to Trade & Traffick as his Occa-
sions should require (at this particular Juncture of time)
notwithstanding any Geñ^l Ord^r or Prohibiçon heretofore
made to y^e contrary; And y^e said Thomas Lewis being now
in y^e said River with his Sloop, where hee is stopt by Ord^r

from y^e Offic^{rs} there; These are to Ord^r, That y^e Stopp be
 taken off y^e said Sloope, y^e said Thomas Lewis for this
 p^rsent Voyage haveing Liberty to returne back to this Porte
 with his Sloope, & Loading, whither of Corne, Provision,
 or Merchandize without any farther Lett, hindrance, or
 Molestaçon. Given &c: this 9th of November 1671.

G. E.
 4: 64
 (NYSL)

1671
 Nov. 9

ffran: Louelace

To y^e Offic^{rs} at Delaware
 or whom else this may concerne.

No. LVII.

NEW YORK CITY — DUTCH REFORMED CHURCH.

An Ord^r about y^e Dutch Church in
 this City of New Yorke.

G. E.
 4: 47
 (NYSL)

Whereas y^e Offic^{rs} of y^e Reformed Dutch Church in this
 City have Requested mee that y^e p^rsent Elders & Deacons,
 & those that from time to time shall succeed them in their
 Places may be Empowered to make a Rate or Taxe amongst
 y^e Inhabitants, and those that shall frequent y^e Church in
 y^e best and most convenient manner they can devise for y^e
 Maintenance of their Minister or Minist^{rs}, y^e Clarke, or
 other Offic^{rs} of y^e Church, & y^e poore, As also for y^e reparaçon
 of y^e Church as Occasion shall require; I have thought fitt
 to Grant their Request, and y^e p^rsent Elders and Deacons
 have hereby full Power & Authority to make such a Rate
 or Tax, and to Levy the same (after my Approbaçon had
 thereupon) & thereof to Dispose to y^e uses aforemençoned:
 And for what They shall lawfully Act or doe in prosecuçon

1671
 Sept. 26

G. E.
4:47
(NYSL)
1671
Sept. 26 of y^e p^rmisses, This shall bee to them a sufficient Warrant & Discharge. Given under my Hand at Forte James in New Yorke this 26th day of September in y^e 23th yeare of his M^a^tⁱ^es Reigne, Annoq^{ue} Dñi 1671.

ffran: Louelace

No. LVIII.

GRAVESEND — NEGLECTFUL IN ERECTING
TOWN FENCES.

C. A.
2:504
(NYSL)

An Ord^r to y^e Constable & Overseers
of Gravesend concerning making good
of y^e Fences there.

1670
Apr. 13

Whereas I haue receiued a Complaint from y^e Justice of peace in yo^r Towne That y^e Corne feilds there are full of Cattle horses & hoggs for want of Lawfull fencing so that it's apprehended there will be this yeare neith^r plowing nor sowing there w^{ch} will not onely be to y^e Da^mage of y^e Inhabitants in perticuler, but also proue to y^e p^rjudice of y^e Publique These are strictly to injoyne & require yo^u to take such speedy ord^r therein that y^e Lawes concerning fencing be put in Execution wherein there is a sufficient course & care taken for any thing that can be objected to y^e contrary, that you will be left wthout Excuse if yo^u see it not perfourmed effectually y^e w^{ch} will be at yo^r utmost perills, Given und^r my hand at Fort James in New Yorke this 13th day of Aprill 1670.

[Francis Lovelace.]

To y^e Constable & Overseers
of Gravesend.

No. LIX.

BROOKLYN — CONFISCATED LAND OF CHARLES
GABRY.

[Petition from Constable and Overseers of Brooklyn.]

Col. MSS.
22:121
(NYSL)
Dutch

Requeste

Met behoorlijcke
Reverentie aen den Wel Edel
Hoogh gebooren: Heer:
Onsen Heer Gouvern^r Wij
V Edel: Ondersatē des dorpe
Breuckellen: geven reveren-
telyck te kennen als dat een
seecker stuck Landt ofte
Bosch Landt is gelegen bij
ofte [o]ntrent den dorpe
Breuckellen voorsz: alwaer
een seeckere swamp ofte
valeije is toe gehoorende
ende alsoo het selve niet en
wert ofte is gepossideert in
den tijt van 15 a 16 Jaeren
geleeden oovermits den Eij-
genaer Is Vtrocken naer Hol-
lant ofte patria: soo dat
oversulckx het voorsz Lant
ofte valeij streckt tot groote
prejuditie ende schaade voor
de Gemeente alsoo Jnde

Translation:

Petition [presented] with due
reverence to the Right Hon-
orable Governor our Master:

We, your excellency's sub-
jects of the village of Breuck-
ellen, respectfully repre-
sent that a certain piece of
land or woodland is situated
near or adjacent to the vil-
lage of Breuckellen afore-
said, to which belongs a cer-
tain swamp or meadow,
which is not and has not
been occupied for the period
of the last 15 or 16 years,
because the owner has gone
to Holland or his country,
with the result that the afore-
said land or meadow tends
to the great prejudice and
damage of the community,
inasmuch as many horses and
cows have been smothered in
the said meadow, the same

1671
Nov. 17

Col. MSS. selve valeije voorsz veele
 22:121
 (NYSL) *W*scheijde soo paerden als
 Dutch
 1671
 Nov. 17
*k*oij beesten syn gesmoort
*W*mits tselve niet en wert
 Affgeheijnt e n d e a l s o o
*W*scheijde Jngeseetenen aen
 onse voor Leede geweesene
 Constapels ende Opsienderen
 hebben *W*socht ende aenge-
 klaecht om sulcke schaade eñ
 Onheytle voor te coomen,
 ende alsoo de gedachte Con-
 stapels eñ Opsienderen in
 het selve niet en hebben ofte
 connen doen soo heeft Onsen
 tegenwoordigen Er: Gerechte
 den Constapel e Opsienders
 door groote noodicheijt goet
 gedacht haer te Adresseeren
 aen Onsen gedachten Heer
 Govverneur op dat met
 Approbatie van sijne Edelh^t
 het voorgeseijde Lant eñ
 valeije werde *W*gunt, ende
 toegestaen aen eenige van
 Onse tegenwoordige Jngese-
 tenen die het selve valeije
*W*soecken aff te heyninge
*W*mits tselve machten Jn
 rechten eigendom genieten
 ende mochten gebruijcken,
 soo Js dan onse *W*soeck aen
 V E Wel Edele Heer Gouver^r

not being fenced off; and
 whereas several inhabitants
 have petitioned and remon-
 strated to our former Con-
 stables and Overseers to pre-
 vent such damage and mis-
 chief, and whereas the said
 Constables and Overseers
 have not or could not take
 any action in the matter, our
 present Hon. Court, the Con-
 stable and Overseers, in
 view of the great need, have
 thought proper to address
 themselves to our said honor-
 able Governor, in order that
 with the approbation of his
 honor, the aforesaid land
 and meadow may be granted
 and given to some of our
 present inhabitants, who ask
 to fence off the said meadow,
 provided they may possess
 and use the same in lawful
 ownership; our request, there-
 fore, to you, Right Hon.
 Governor, is that you will
 grant this to our community,
 in order that we may be
 relieved from such damage.
 Which doing, etc., and re-
 main, your honor's dutiful
 humble subjects.

desen onse gemeente te
 Vgunnen op dat wij moogen
 bevrijdt werden van sulcke
 schaade dit doende etz: ende
 blijve V Edele

Dienstwillige Onderdaenen:

Ten Vsoeck Van den
 Constapel en Opsienders
 Onderteeckent

VEdele OnderdaenigDienaer

Dirck Storm Secre:^{ts}

Actum Breuckellen

17^e Novemb^r 1671

At the request of the
 Constable and Overseers
 signed,

Your honor's humble servant,
 Dirck Storm, Secretary

Col. MSS.
 22: 121
 (NYSL)
 Dutch

1671
 Nov. 17

Done at Breuckellen
 17 November 1671

Endorsed:

A Petiçon from
 Breucklyn.

This was recomēded
 from the Governo^r &
 Councell to the Co^{rt} of
 Sessions & from them
 to 2. or 3. Justices
 &c.

Gabry
 P. Leendert[~].

[Proceedings of Brooklyn about the confiscated Land.]

Col. MSS.
 22: 145
 (NYSL)
 Dutch

Voor den eersten
 Ter Vgaaderinge Van Con-

Translation:

[Met] for the first [time].
 At the meeting of the Con-

1672/3
 Jan. 5

Col. MSS.
22:145
(NYSL)
Dutch

1672/3
Jan. 5

stapel ende Opsienders ende
Inwoondere des dorpe
Breuckelen Js geresolveert
om een Requeste te leeveren
aen den WelEd: Heer Gou-
vern^r: wegens het Landt
eertijts toebehoorende S^r: Ca-
rel Gabree:

ten tweede Reijs

De Apostille Van den Wel
Edel^e: Herr: Gouvern^r: ende
sijnen Edel: Raade: ont-
fangen Hebbende, Sijnde
voorgemelte Inwoonderen
door Wsoeck van mij Onder-
gesz: te saemen Wgaadert
ende den Inhouwt van de
[ge]melte Apostille verstaen
hebbende geresolveert om te
Wsoecken voor de Ed: Ses-
sions om [h]et [voo]rgeseijd[e]
Landt ende aengehoorende
Valey en Swamp voor een
seecker penningh voor erff-
recht te coopen ende syn
daer toe geouthoriseert in
persoone Dirck Storm: ende
Jan Cornelisse Buijs ende
Dirck Janssen

Voor de derde Reijs

De gemelte personen
wederom gecoomen sijnde

stable and Overseers and
inhabitants of the village of
Breuckelen, it is resolved to
present a petition to the Hon.
Governor in regard to the
land formerly belonging to
Mr. Carel Gabree.

The second time.

The answer of the Hon.
Governor and his Hon.
Council having been received,
the aforesaid inhabitants met
at the request of me, the un-
dersigned, and, having under-
stood the contents of the
said answer, resolved to
apply to the Hon. Sessions
to purchase the aforesaid
land and the adjoining
meadow and swamp in per-
petual fee for a certain sum,
and authorized thereto in
person Dirck Storm, Jan
Cornelisse Buijs and Dirck
Janssen.

For the third time.

The said persons having
come again, made a verbal

hebben ter Vgaaderinge van de voorgeseijde Inwoonderen Relaes mondelings gedaen ende waer op de geheele Vgaaderinge hebben nochmaels geresolveert om t voorgeseyde Landt ende valeije te coopen voor de Somma van drie hondert gulden In dien het den Wel Ed: Heer: daer voor gelieffde aen ons te V[coopen] ende sijn van de Jngeseetenen daer toe geou[thoriseert] Den Constapel en Dirck Jansse Op[siende]r en [mutilated].

Voor de Vierde Reijs

Door Vloop van tijt sijn door Vsoeck van mijn ondergesz: de gemelte Jngeseetenen wederom Vgaedert Except Cap^t: Hainelle ende het voorige Raport Van de Edel: Sessions voor gedraegen hebbende als vooren syn dese naervolgende personen geresolveert om uijt te scheijde met naeme Jan Cornelisse Buijs ende Jan Cornelisse Daemen, en Hendrick Claesse ende Wijnant Pietersse, en Sijmon Claessen ende Johannes Marcusse

report to the meeting of the aforesaid inhabitants, whereupon the meeting once more unanimously resolved to purchase the aforesaid land and meadow for the sum of three hundred guilders, if his honor were willing to sell it to us for that [sum], and the inhabitants authorized thereto the Constable and Dirck Jansse, Overseer, and . . .

Col. MSS.
22: 145
(NYSL)
Dutch

1672/3
Jan. 5

For the fourth time.

In the course of time, the aforementioned inhabitants again met at the request of me, the undersigned, except Capt. Hainelle, and the previous report of the Hon. Sessions having been submitted as before, the following persons resolved to withdraw, namely: Jan Cornelisse Buijs and Jan Cornelisse Daemen, and Hendrick Claesse and Wijnant Pietersse, and Sijmon Claessen and Johannes Marcusse and Susanna Dubbels, while previously

Col. MSS. 22: 145
(NYSL)
Dutch
1672/3
Jan. 5

ende Susanna Dubbels, ende te voorens is uijtgescheijde Albert Cornelisse ã Joris Jacopsse eñ fredrick Lubbertsse ende de voordre persoonẽ ofte ingeseetenẽ met naeme Dirck Jansse eñ Lambert Jansse Dorlant eñ Raaff Warnar: ende Jeronimus de Rapalie en Dirck Storm syn geresolveert de gu[nst] van den Edel: Heer Gouverñr eñ Sijnẽ Raade met eerbiedich[eijt] te Wwachtẽ, Wmits wij sijnde ende sullen Wobligeert blijven tot Danckbaerheijt t voorsz: Landt te betaefl̃ soo ende als tselve in billickheijt van Onsen Wel Ed: Heer: Gouverñr aen ons te doen sal werden geordineert, ende blijve naer Eerbiedel̃ groetennisse V Ed: Achtbaere: Dienstwillige Onderdaan[en]

had withdrawn Albert Cornelisse and Joris Jacopsse and Fredrick Lubbertsse, and the remaining persons or inhabitants, namely, Dirck Jannse and Lambert Jansse Dorlant and Raaf Warnar and Jeronimus de Rapalie and Dirck Storm, resolved to await respectfully the favor of the Hon. Governor and his Council, and we are and in gratitude shall be bound to pay for the aforesaid land such sum as our Hon. Governor in equity shall order us to do, and with respectful salutation, we remain your honor's obedient humble subjects,

met
naeme { Raelph Warnar
Lambert Jansse Dorlant
Dirck Jansse
Jeronimus De Rapalie
Dirck Storm

namely { Raelph Warnar
Lambert Jansse Dorlant
Dirck Jansse
Jeronimus De Rapalie
Dirck Storm

[illegible]

BOND FOR PAYMENT OF CONFISCATED
LAND IN BROOKLYN.

In Dutch—January 25, 1672/3.

(Reduced from 6½ by 7 inches.)

Op Breuckelē
dē 5ⁿ Januw
A^o 1672.
73

Torconde der Waerhet
by mij Onderteeckent
[*Not signed*]

At Breuckelen
the 5th of January
A^o 1672
73

In testimony of the truth,
signed by me,
[*Not signed*]

Col. MSS.
22: 145
(NYSL)
Dutch
1672/3
Jan. 5

Endorsed:

Breucklyn papers

[Bond for Payment for the confiscated Land.]

Col. MSS.
22: 146
(NYSL)
Dutch

Wij ondergesz: personen
met naeme Dirck Storm ende
Lambert Jansse Dorlant ende
Raeff Warnar ende Jeroni-
[mus] de Rapalie ende Dirck
Jansse Woertman presteere
e[nde] beloove gelijk wij
beloov[e] mits desen een
Jgelijck haer pardt te be-
taellen wegen[s] de Coopinge
van het La[ndt] gekocht van
de Edele Heer Gouvern^r en
dat voor [ofte op] den derden
feb^r Anno 1672 ende tot

73

Wseeckeringe [van] dese

Wbinde een Jder voor
sij[n] pardt] haere persoone

[40]

Translation:

We, the underwritten per-
sons, namely: Dirck Storm
and Lambert Jansse Dor-
lant and Raeff Warnar and
Jeroni[mus] de Rapalie and
Dirck Jansse Woertman,
offer and promise, as we
hereby do promise to pay,
each his part, of the purchase
money of the land bought
from his Hon. the Governor,
and that before [or on] the
third of February Anno 1672,

73

and for security hereof each
pledges for his part his per-
son and property, whether
now owned or to be acquired

1672/3
Jan. 25

Col. MSS.
22:146
(NYSL)
Dutch

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Jan. 25

ende g[oeder]ē nu tegen-
woordich hebbe[nde] ofte
naermaels *W*kryg[ende] alles
sonder argh ofte list [Ten]
teecken der waerh^t. Js dese
door de voorgemelte persooene
met eygen Handt [onder]-
teecken^t Actum Breuckelen
d[en] vijffentwintichsten dach
[der] maent Januwarij Anno
1672.

73

Dirck: Storm:
lambert Jansz Dorr[lan]t
Jeronimus rapale
merck
Dit is het R van
Raeff [War]nar met
eygen handt geste[lt]
dierck Janssen

in the future, all without
guile or deceit. In token of
the truth, this is signed by
the abovementioned persons
with their own hands. Done
at Breuckelen, the twenty
fifth day of the month of
January Anno 1672.

73

Dirck Storm
Lambert Janssen Dorr[lan]t
Jeronimus Rapale
mark
This is the R of Raeff
[War]nar made with his
own hand
Dierck Janssen

Endorsed:

Dirck Storm[’s bond]
about the La[nd]
at Breucklyn
for the Town

G. E.
4:257
(NYSL)

An Ord^r for y^e laying a Quit-Rent, upon a piece
of Land at Breucklyn, confiscated to his Mā^{ties} use.

1672/3
Feb. 7

Whereas upon y^e Petiçon of severall of y^e Inhabitants
of Breucklyn, that there being a Lott of Land having a

Swamp in it heretofore belonging to Charles Gabry, but was confiscated to his Mā^{ties} use, w^{ch} lyeing neglected & unfenct was a great prejudice to the Towne, but if manured & improved would redound to their Advantage; The said Inhabitants making Offer to make paym^t of a moderate Summe of Money [for the same; All w^{ch} was referr'd to the Court of Sessions at Gravesend who recommended it to two or three of the Bench to treat wth those concerned of Breucklyn thereabout; These are to Appoint and Empower you M^r Cornelis Van Ruijven & M^r Matthias Nicolls at yo^r first convenience to repaire to the fferry of the Towne there to treat wth the said persons, & Agree wth them either for a certaine Quit Rent annually to bee paid, or some reasonable Summe to bee forthwith paid for the same in Corne, & upon yo^r returne thereof unto mee, I shall bee ready to make such Confirmaçon of it as shall bee requisite. Given under my hand at ffort James in New Yorke this 7th day of ffeb^{ry}. 1672.

G. E.
4: 257
(NYSL)

1672/3
Feb. 7

[Francis Lovelace.]

[Adjustment concerning the confiscated Land.]

Col. MSS.
22: 148
(NYSL)

Whereas I was employed & entrusted by the Governo^r with m^r Cornelijs Van Ruyven, to treat & agree with some or the Inhabitants of Breucklyn, who had made Request for a Lott of Land & Meadow within the precincts of the s[aid] Towne heretof[ore] belonging vnto Charles Gabry of Holland, but was confiscated in the Last Warre, & lay neglected & unfenct to their great prejudice, for & concerning the which I made an agreement with the said persons the which was approved of by the Governo^r: These presents

1673
July 12

Col. MSS. testify, That I haue received full satisfaction for & concern-
 22: 148
 (NYSL) ing the premises of Captⁿ Mic[hell] H[e]ynelle & M^r Ralph
 1673
 July 12 Warner on the behalfe of themselves & Company, where-
 thereunto relating, & will endeaue^r to procure for them such
 further Confirmaçon as shall bee thought requisite: Given
 under my hand in New Yorke. The 12th day of July,
 1673.

M[a]tthias Nicolls [Se]c^r

[For] Heynelle & M^r Ralph Warne[r]

G. E.
 4:287
 (NYSL)

Endorsed on the Dutch Patent or
 Ground briefe, granted by Governo^r
 Kieft unto Willem Cornelissen, Feb^r.
 19th 1646, & by him transported to
 Charles Gabry, June 23^d 1654, as
 attested by Cornelijs Van Ruyven
 Sec^r. as followeth, viz.

1673
 July 12

The piece of land & Meadow or Valley wth in the Li^mitts
 of Breucklyn herein mençoned, being confiscated as belong-
 ing to Charles Gabry, a subject of the States Gen^l, & an
 Inhabitant in Holland in the time of the late Dutch warre;
 Vpon severall Complaints that the same lyeing neglected &
 unfenc^t was very prejudiciall to the Towne, and Applicaçon
 being made for its redresse, To the End afores^d, The Gov-
 erno^r hath consented & granted, that the same shall bee
 & remaine to the use & behoofe of the Undertakers, viz^t
 Cap^t. Michael Heynelle, Dirck Jansen & Jeronymus de
 Rapalye Inhabitants of the said place, & to their heyres &

assignes for ever: Dated in New Yorke the 12th day of July 1673. G. E.
4: 287
(NYSL)

By order of the Governo:
Matthias Nicolls. Secr. 1673
July 12

No. LX.

BROOKLYN — FREDRICK LUBBERTSEN *vs*
MICHIEL HEYNELLE.

An Order concerning Michael Haynell & Frederick Lubberts. touching Coñonage for Cattle. C. A.
2: 556
(NYSL)

Whereas there was a Certaine matter in Dispute betweene Michael Haynell & Frederick Lubberts. both of y^e Jurisdiction of Breucklyn touching certaine Coñonage w^{ch} y^e said Michael Haynell claymed upon y^e land belonging to Frederick Lubberts. It was this day mutually agreed upon before me being wth diuers others upon y^e place, That for y^e Convenience of y^e said Michael Haynell he being so farre remote from any oth^r Coñonage, The said Haynell shall duering y^e tyme he injoyes y^e farme where he now resides haue liberty to put into Frederick Lubberts neck of Land wthin y^e fence next unto him his home Cattle That is to say. 8. milch Cowes, 2. working Oxen & one Saddle horse, But in regard y^e Land doth properly belong to y^e said Frederick Lubberts as by his Patents & long possession doth appeare, & that he is to maintaine y^e fence & pay the rates for y^e same. It is thought fitt, That as an Acknowledgm^t thereof y^e said 1670
June 27

C. A.
2:556
(NYSL)

1670
June 27

Michael Haynell do for every beast he puts upon y^e said Land pay to the said ffredrick Lubberts or his Ord^r Three Guild^{rs} Seawant, & for his horse six Guild^{rs} 3^d Anñ, And that this is not to be taken as a President for any one else to expect y^e like but merely for an Accomodation, & to supply the necessity of y^e said Michael Haynell upon y^e farme where he now dwells, Given und^r my hand at ffort James in New Yorke this 27th day of June 1670.

[Francis Lovelace.]

G. E.
4:59
(NYSL)

An Ord^r on y^e behalfe of ffredrick Lubberts concerning him & Michaell Heynell of Breucklyn.

1671
Oct. 25

Whereas Comp^{it} is made unto Mee by Fredrick Lubberts. who lives wthin y^e Jurisdiction of yo^r Towne that notwithstanding y^e Agreem^t made before mee between him y^e said ffredrick & Michaell Heynell his Neighbour, wherein y^e said Heynell was restrayned to a certaine Numb^r of Cattle & Horses to be putt upon y^e said ffredricks Neck of Land, ffor w^{ch} by my Ord^r a certaine Consideraçon was yearly to be paid; These are to require you That you forthwith take two of y^e Overseers to your Assistance, & make Enquiry into y^e Truth of y^e Matt^r, & if it bee as is alledged, That you forewarne y^e said Michaell Heynelle from soe doing, and render mee Acco^t thereof; And for soe doing This shall bee yo^r Warrant. Given under my Hand at fforte James in New Yorke, this 25th day of October 1671.

[Francis Lovelace.]

To y^e Constable of Breucklyn.

No. LXI.

NEW YORK CITY — REV. JACQUES ROULLAUD
AND FRENCH PROTESTANTS.

[Passenger List of the Ship "Grace."]

G. E.
4:80
(NYSL)

The Names of y^e Passenger^s that went home in
the Ship y^e Grace of London. are

[1671
Decem.]M^r Nicholas de MeijerM^r Paulus Richards.D^o Jaques Roullaud ¹

Johes Hardenbrooke

Johes Whitthart.

The Governo^rs Answ^r to D^o Jaques
Roulauds Request, y^e ffrench Minist^r

G. E.
4:79
(NYSL)

The Request herein written of Mons^r Jacques Roullaud
tending to y^e gen^l Good of this his R: Highness Province,
I have thought fitt to Grant it as farr as in mee lyes, w^{ch} will
bee Effectuall to y^e three latter Proposals, & for y^e first shall
recommend it to his Royall Highness, who probably may
prevayle therein. As to all other Matt^s there shall bee want-
ing noe due Encouragem^t from mee. Given under my Hand
at ffort James in New Yorke the 22th day of December. 1671.

1671
Dec. 22

Fran: Louelace

¹A passport was granted to the Rev. Jacques Roullaud, on December 19, 1671, "to goe home" in "the Good Ship y^e Grace, Claes Verbraeck Command^r now Bound for England and Holland."—*General Entries*, vol. 4, p. 77.

No. LXII.

NEW YORK CITY — PROCLAMATION ABOUT
UNFENCED LOTS.G. E.
4:97
(NYSL)

A Proclamation requiring such Persons as have Lotts of Land about this City unfenc't, that they bring in their Claymes or p'tences &c: to y^e Secretaryes Office, by y^e 1st of March.

1671/2
Jan. 25

Whereas there are diverse Lotts of Ground within this City & Precincts, w^{ch} heretofore have been fenc't in & built upon, but haveing been neglected are fallen to Ruine & Decay, & soe lye in Common without any Care taken of them, & there haveing been likewise Graunts & Patents for severall Lotts of Land in & about y^e City, w^{ch} never yet were fenc't in or improved; To y^e End the vacant Lotts & Houses fallen to decay & left neglected in the City, may bee fenc't in & rebuilt upon, & those other Lotts some way improved according to y^e Intent of y^e Graunts & Patents given to y^e respective Persons for y^e same; I have by & wth y^e Advice of my Councell thought fitt to Order Publish & Declare, That all persons whatsoever who have any Clayme or p'tence to any such Lott of Ground wthin this City or precincts, w^{ch} formerly hath been fenc't in & built upon, but now lyes neglected, or for the w^{ch} there are Graunts & Patents, but never were fenc't in or improved, That they bring into y^e Secretaryes Office in the fforte such their Claymes or Pretences by y^e first or second day of March next, when some Order shall bee taken concerning the same. And who-soever (haveing Notice hereof) shall refuse or neglect soe to doe, shall forfeit their Pretences, & their Lotts bee dis-

posed as the Governo^r shall see Cause for the Good and Welfare of the Place. Given under my Hand at fforte James in New Yorke this 25th day of Jan^y in y^e 23th yeare of his Mā^{ties} Reigne, Annoq̄ Domini 1671.

G. E.
4: 97
(NYSL)
1671/2
Jan. 23

[Francis Lovelace.]

No. LXIII.

NEW YORK CITY — THIRD COMPANY OF FOOT
ESTABLISHED IN THE MILITIA.

An Ord^r for a third Company of ffoot & y^e 3 Commission Offic^{rs} to be raised in this City.

G. E.
4: 87
(NYSL)

Whereas it is thought requisite, & for y^e reputa^{co}n of y^e Place, there being a Competent Number of Men capable or bearing Armes to compose a third Company of ffoot, I doe recommend unto you y^e Denomina^{co}n of six Persons of y^e City, that is to say, two for Captaines, two for Lievtent^{ts}, & two for Ensignes, & make returnes of their Names unto mee, out of w^{ch} Number I shall make choice of one of each to bee Officers, for the which They shall have my Commission & Ord^r to take Charge of y^e said Company. Given under my Hand at fforte James in New Yorke this 15th day of January 1671.

1671/2
Jan. 15

ffran: Louelace

To y^e Mayo^r & Aldermen of
this City.

G. E.
4:105
(NYSL)

An Ord^r about raying a third Company
of ffoot in this City.

1671/2
Feb. 26

Whereas It hath been thought requisite, That a New Company of Foot should bee risen within this City & p^rcinets there being a Competent Number of Men capable of bearing Armes to make up three Companyes, for y^e w^{ch} I have graunted forth my Commissions; I doe Recommend it to y^e Offic^{rs} of y^e three Companyes that as neare as may bee, They make an Equall Division of the Souldyers in y^e Towne into three distinct Parts, both as to quality & Number, the w^{ch} being done Lotts may bee drawn, for y^e determination to whom each Company shall belong, That is to say, Cap^t Martin Cregier, or in his Absence his Lievten^t shall draw y^e first, Cap^t Johannes Van Brugh y^e second, & Cap^t Isaack Bedloo the third Lott, & y^e Offic^{rs} according to their Draught are to take Charge of their respective Companyes accordingly.

Given under my Hand at Forte James in New Yorke this 26th day of ffebruary 1671.

[Francis Lovelace.]

To y^e Military Offic^{rs} of y^e
City of New Yorke.

G. E.
4:125
(NYSL)

A Warr^t to y^e 3 Cap^{tns} of y^e Foot Companyes
belonging to N: Yorke, to appeare at y^e Ren-
dezvous on y^e 29th of this instant May. &c:

1672
May 4

You are hereby ordered to give due & timely Warning to y^e inferio^r Offic^{rs} & Souldy^{rs} of y^e Companyes under yo^r Com^{and}, that they bee in a readyness to make their Appearance wth their Armes fixt together wth some fitting proportion of Ammuni^{cion}, upon Wednesday y^e 29th day of this

instant Month by nine of y^e Clock in y^e Morning in the broad Place neare y^e fforte, from whence you are to march wth yo^r respective Companyes to the Rendezvous to bee appointed for y^e Militia of this City, there to receive such further Ord^{rs} as shall bee given from mee, or such other superio^r Offic^{rs} whom I shall appoint; Hereof you are not to fayle as you will answer y^e contrary at yo^r Perill. Given: &c: the 4th day of May in y^e 24th yeare of this Mā^ties Reigne, Annoq̄ Dñi 1672.

G. E.
4:125
(NYSL)1672
May 4

[Francis Lovelace.]

To Cap^t Martin Creig^rThe like was directed to Cap^t Jo^hes Vanbrugh.And a third to M^r Isaack Bedloo.

Warrant to Cap^t Van Brugh for y^e drawing up his Company together at y^e Geñ^l Rendezvous &c:

G. E.
4:138
(NYSL)

You are immediately upon sight hereof to cause yo^r whole Company of ffoot to bee drawn together on y^e 29th day of May 1672. by 7 of y^e Clock in y^e Morning at y^e Geñ^l Rendezvous appointed by mee at y^e Winde-Mill Hill without y^e City of New Yorke, & there to continue till you receive farther Orders from mee; And hereof you are not to fayle as you will answer y^e Contrary at yo^r utmost Perrill. Given &c: this 27th of May 1672.

1672
May 27

[Francis Lovelace.]

To Cap^t Jo^hes Van Brugh or

in his absence to his Officer in chiefe.

The like to — { Cap^t Bedloo
&
Cap^t Creiger.

No. LXIV.

NEW YORK CITY—NEW TROOP OF HORSE
RAISED.

G. E.
4: 128
(NYSL)

An Ord^r to M^r Steenwijck for raising a
Troope of Volunteers upon this Island.

1672
Apr. 24

Whereas I have made Inspection into y^e Militia of this City, & findeing it requisite that upon Occasion some Horse should bee in readyness as well as ffoot for y^e Safeguard & Defence of y^e Place, & also for y^e Reputaçon thereof; These are to Authorize you Cap^t Cornelijs Steenwijck, to take the Subscriptions of all such Persons as shall voluntarily enlyst themselves within this City and Precincts, as also at y^e Bowery, New Harlem and ffordham to Compleat a Troope of Volunteers to bee under yo^r Command, in y^e w^{ch} you are to have y^e Assistance of Cap^t Dudley Lovelace whom I have thought fitt to nominate to bee yo^r Lievtenant, & M^r Gabriel Minvielle who is to bee your Cornett. And you are hereby Ordered to putt yo^rselves in the best Posture you can for y^e present to appeare at the Geñ^{rl} Trayning of y^e Militia in this City on y^e 29th day of the Month of May next, for the doeing whereof this shall bee yo^r Warrant. Given under my Hand & Seale at Forte James in New Yorke this 24th day of Aprill 1672.

[Francis Lovelace.]

To Cap^t Cornelijs Steenwijck
These.

Another Ord^r about y^e City Troope.G. E.
4: 130
(NYSL)

Whereas I have issued forth my Warr^t to Cap^t Cornelijs Steenwijck to rayse a Troope of Horse within y^e Libertyes of this City and Island, the w^{ch} can noe way bee compleated without some Dispensa^çon bee allowed to some of those that are willing & capable amongst y^e ffoot-Companyes, under whom all but those exempted by the Law are or ought to bee Enlysted; These are to Certify That Cap^t Cornelijs Steenwijck and his Offic^{rs} have hereby Liberty to Enlyst such and soe many Volunteers out of y^e Companyes of ffoot belonging to this Towne as are capable to sett themselves forth wth Horses, ffurniture, & Armes; Provided y^e number doth not exceed five or six in each Company which persons soe enlysted by y^e Cap^t of Horse shall bee excused from givinge their farther Attendance on the ffort; ffor the w^{ch} this shall bee to them & every of them a Warrant & Discharge. Given under my Hand at Forte James in New Yorke y^e 6th day of May 1672.

1672
May 6

[Francis Lovelace.]

[Commissions issued for Troops of Horse.]

G. E.
4: 138
(NYSL)May y^e 25th 1672

Commissions were granted to Cap^t Cornelijs Steenwijck, Cap^t Dudley Lovelace, & M^r Gabriel Minvielle to bee Cap^t Lievtent^t, & Cornett of the Troupe of Horse Lysted or to be Lysted wthin this City of New Yorke, Island Manhatans or parts adjacent. curreñ: secundum formam istarum Commissionum quæ concessæ fuêrunt Cap^{tno} Matthiæ Nicolls, Thomæ Willett &c: recordat. in tertio Libro.

1672
May 25

G. E.
4:137
(NYSL)

An Ord^r to Cap^t Steenwijck for y^e drawing up his Troop together to Rendezvous upon May 29th

S^r

1672
May 27

You are immediately upon sight hereof to give Notice to all those that belong to yo^r Troope of Horse that they bee drawn together wth their Armes fixt & sufficient Ammuniçon on y^e 29th day of this instant Month by 7 of the Clock in y^e Morning on y^e Hill beyound M^r Beackmans without this City over against y^e fferry, & there to continue untill you receive further Ord^{rs} from mee; Hereof you are not to fayle, as you will answer y^e Contrary at your utmost Perrill. Given under my Hand at Forte James in New Yorke this 27th day of May 1672.

[Francis Lovelace.]

To Cap^t Cornelijs Steenwijck.

No. LXV.

FLATLANDS — ESTATE OF BALTHAZAR DE VOSCH.

C. A.
2:427
(NYSL)

A warrant for Balthazer de Vosch to appeare at y^e next Gen^l Court of Assizes.

1669
Oct. 7

These are in his Ma^{ties} name to will & require yo^u Balthazer de Vosch to appeare at this next Gen^l Court of Assizes to be held in this Citty beginning on y^e first Wednesday in Novemb^r next then & there to make Answer to y^e Comp^t of Mettie Wessells widdow who hath Entred an Acçon of Debt against yo^u Hereof yo^u are not to fayle at your perill Giuen und^r my hand & seale at ffort James in New Yorke

this 7th day of October in y^e 21th yeare of his Ma^{ties} raigne
Annoq̃ Domini 1669.

C. A.
2:427
(NYSL)

[Francis Lovelace.]

To y^e Constable of fflatlands
a^{ls} Amesford who is to see this
warrant served & make retorne
thereof at y^e Assizes.

1669
Oct. 7

A Warrant to y^e Constable of Flatt bush
to lay an Attachem^t upon a Certaine Lott
of Land there.

C. A.
2:545
(NYSL)

These are in his Ma^{ties} name to require you to lay an
Attachem^t upon a Certaine Lott of Land at Midwout a^{ls}
Flatt bush now in y^e Tenure or Occupation of Jan Roeloff-
sen & belonging to Balthazer de Vosch who stands indebted
in a certaine Sum^e of money for goods receiued of M^r Isaack
Bedlow of this Citty merchant, And that you make Retorne
of y^e service of this warrant to y^e next Court of Sessions to
be held at Gravesend, Hereof you are not to fayle Given
und^r my hand at Fort James in New Yorke this 7th day of
June 1670

1670
June 7

[Francis Lovelace.]

To y^e Constable of Midwout
a^{ls} Flatt bush.

An Ord^r for y^e Deliuery of y^e House
& Brewhowse late in y^e possession
of Balthazer de Vosch unto ffather
Kaes.

C. A.
2:591
(NYSL)

Whereas It hath beene rep^rsented unto me that before
y^e departure of Bathazer [*sic*] de Vosch from his habitation &
this Countrey he made seuerall bargaines & Sales of Lands

1670
Sept. 30

C. A.
2:591
(NYSL)
1670
Sept. 30

& houses, amongst y^e w^{ch} there are Three or four that depend y^e one on y^e oth^r, & all Center in his Exchange of her house Lott of ground & Brewhouse at Amesford wth one named father Kaes als Cornelissen of Midout for a Bowery or Lott of ground he hath there, y^e w^{ch} Exchange is to be made & performed on y^e first day of Octob^r next, These are to ord^r & appoint yo^u y^e present Constable & Overseers of Amesford to deliuer possession of y^e house Lott of Ground and Brewhouse late in y^e possession of y^e said Balthazer de Vosch; so agreed to be exchanged as aforesaid, unto y^e said father Kaes als Cornelissen or his Assignes, The w^{ch} bargaine sale & Exchange as well as all oth^{rs} made by him, before he deserted his habitation are to stand firme & good unlesse other reasons can be showne to y^e Contrarye at y^e next Gen^{rl} Court of Assizes. Given und^r my hand at ffort James in New Yorke this 30th Day of Septemb^r 1670.

To y^e Constables & Overseers [Francis Lovelace.]
of Amesford als Flattbush.

C. A.
2:593
(NYSL)

An ord^r for y^e Constable and Overseers
of Flatt lands to take a view of y^e
house in dispute betweene ffath^r Kaes
& Balthazer de Vosch.

1670
Oct. 3

Whereas yo^u haue made Report to me that Cornelijs Jan^s als father Kees doth refuse to take possession of y^e house & Land of Balthazer de Vosch, according to his Agreement & my Ord^r for reasons w^{ch} he p^rtends to bringe in at y^e Court of Assizes, y^e w^{ch} as I am informed hath relation to some want of repaire of y^e house or some da^mage casually received since y^e bargaine, You are hereby ordered to take a view of y^e said house, & to giue an Account to me at

this next Court of Assizes,¹ what y^e Charge of making y^e Reperation will be, That some Course may be taken to make it good, & an issue put to y^e oth^r bargains & sales depending thereupon, Given und^r my hand at ffort James in New Yorke this 3^d day of Octob^r 1670.

C. A.
2: 593
(NYSL)
1670
Oct. 3

[Francis Lovelace.]

To y^e Constable & Overseers
of Amesford a^{ls} Flatt lands.

A warrant for y^e 4 psons following to
view y^e house of Balthazer de Vosch.

C. A.
2: 599
(NYSL)

Whereas yo^u are by an Ord^r of y^e late Gen^{rl} Court of Assizes nominated and appointed to view & adjudge what y^e Charge will amount to of Reperation of y^e Lott & Brewhouse at flatt lands late belonging to Balthazer de Vosch who exchanged y^e Same wth Cornelijs Jansen Boegart a^{ls} fath^r Kaes for his Lott at flat bush as also of what else shall be found wanting to make good y^e Conditions made betweene them upon y^e said Exchange, These are to require yo^u that yo^u forthwth & wthout furth^r Delaye proceed to doe y^e Same according to y^e said Ord^r, It being a matt^r w^{ch} as I am Informed may be effected in a few houres, & y^e Delay thereof may prove very p^rjudiciall & for so doeing this shall be yo^r warrant Given unde^r my hand at ffort James in New Yorke this 13th of October 1670.

1670
Oct. 13

[Francis Lovelace.]

To Captⁿ Elbert Elbertse
M^r Jacob Kipp
Coert Stevens &
Huybert M^r Oloffte Stevens man.

¹ The case of Cornelis Jansen Boegart, *alias* Father Kaes, against Balthazar de Vosch, figured at the court of assizes, in October, 1670.— *Court of Assizes*, vol. 2, pp. 253–255.

C. A.
2: 597
(NYSL)

The Governo^{rs} approbation of y^e Report
of y^e ~~3~~ persons appointed to view y^e
house of Balthazer de Vosch

1670
Oct. 17

Whereas 4 ~~3~~ persons were appointed by y^e late Gen^l Court of Assizes to view & adjudge what y^e charge would amount unto of Repation of y^e Dwelling house & Brew house at Amesford late belonging to Balthazer de Vosch who Exchanged y^e Same wth Cornelijs Jansen Boegart for his Lott at Midwout, as also of what else should be found wanting to make good y^e Conditions made betweene them upon y^e said Exchange, And y^e said ~~3~~ persons having given in their Report conformable to what was heretofore done by y^e Constable & Overseers of y^e said place, That is to say for fower hundred Guild^{rs} Seawant for y^e Reperation of y^e house & Brewhouse, & also for one hundred Guild^{rs} Seawant more for y^e Damage y^e ffatts haue Susteyned, Upon due Consideration had hereupon, I haue thought fitt to approue & do allowe of what is adjudged by y^e said persons & doe ord^r that no furth^r Exceptions be admitted against it, And y^e persons appointed in trust to Administ^r upon & look aft^r y^e Estate of y^e said Balthazer de Vosch are forthwth to take Care That y^e said Sum^e of fiue hundred Guild^{rs} be allowed to y^e said Cornelijs Jansen to y^e end & purpose aforementioned. Given und^r my hand at ffort James in New Yorke this 17th Day of Octob^r 1670.

[Francis Lovelace.]

C. A.
2: 596
(NYSL)

An Ord^r Excusing M^r Jacob Kipp's
attendance in y^e businesse betweene
Cornelijs Jansen & Youncker Vosch.

1670
Oct. 18

In Regard M^r Jacob Kipps other occasions hind^r him
from attendance on y^e businesse betweene Cornelijs Jansen

& Youncker Vosch whereunto he was ordered at y^e last Court of Assizes, I haue thought fitt to referre the nomination of a fourth person in his stead to y^e oth^r three appointed by y^e Ord^r aforesaid. Given und^r my hand at ffort James in New Yorke this 18th of October 1670.

C. A.
2: 596
(NYSL)

1670
Oct. 18

[Francis Lovelace.]

No. LXVI.

BOND OF THOMAS WALKER, COMMANDER OF
THE SHIP "BATCHELOURS DELIGHT."

Another Certificate about M^r Walker
from the Custome-Master.¹

G. E.
4: 90
(NYSL)

These are to Certify all whom it may concerne, That Thomas Walker of the City of London Merchant hath taken his Oath & Given Security by Bond of One thousand pound Sterling Money of England to Coll. ffrancis Louelace Governo^r of New Yorke, & all his Royall Highness Territories in America for the use of our Sovereigne Lord the King, That y^e Vessell or Pinck called y^e Batchelo^rs Delighte now rideing at Anchor in this Harbour of New Yorke is a ffree Ship, y^e which hee is to make appeare before y^e Expiration of one yeare and six Weeks as in the Bond is mençoned. Given under my Hand this 22th day of Decemb^r 1671.

1671
Dec. 22

Attested
1671/2
Jan. 17

C: Van Ruijven Coll^r

¹This is in reality the earlier certificate, as the other one is that of January 17, 1671/2, printed on p. 645 in its chronological sequence. In the engrossed manuscript the earlier certificate is entered last, which accounts for the ambiguous heading.

G. E.
4:90
(NYSL)

1671
Dec. 22

Attested
1671/2
Jan. 17

To y^e Truth of y^e Contents of what is above-written, I doe attest. Given under my Hand and Seale at fforte James in New Yorke on y^e Island Manhatans in America the 17th day of January in the 23th yeare of his Mā^{ties} Reigne, Annoꝝ Domini 1671.

[Francis Lovelace.]

G. E.
4:87
(NYSL)

[Walker's Bond for the Ship "Batchelours Delight."]

Jan^{ry} 13th 1671.

1671/2
Jan. 13

M^r Thomas Walker part Own^r of y^e Pinck Batchelours Delighte, Enterd into an Obligaçõ of 1000th Sterling, to M^r Richard Ripley (late Mast^r of y^e said Pinck) wherein hee bound both himselfe, heyres, Executo^{rs}, Administrato^{rs}, & his Vessell That after hee had made his Voyage hence to Virginia with the said Ship, hee would then sayle directly (Winde & Weather permitting) to y^e Island of Jamaica, without makeing any other Voyage before hee hath acomp-
lisht y^e same, & that there hee would save y^e said W^m Rich^d Ripley harmless, as touching y^e Obligaçõ wherein hee became bound at Jamaica for y^e returne of y^e Ship. &c:

G. E.
4:87
(NYSL)

[Bond for the Ship "Loyall Dorothy."]

Jan^{ry} 15th 1671

1671/2
Jan. 15

Capt. Josyas Teate, & M^r Thomas Walker Merch^t enterd into a Bond of 1000th to ffrancis Louelace Esq^r &c: the Condiçõn whereof was, that Cap^t Teate should sayle back y^e Ship Loyall Dorothy to Nevis in y^e roome of Cap^t Julius

deceased, & there deliver her up wth her Cargoe to S^r Charles Wheeler, according to y^e Teno^r of his Commission, the which if hee did, then the Bond should be void.

G. E.
4: 87
(NYSL)

1671/2
Jan. 15

Mr Thomas Walker's Certificate. G. E.
4: 90
(NYSL)

Whereas M^r Thomas Walker halfe Own^r of the Pincke the Batchelours Delighte came upon y^e 6th day of October last with the said Vessell into this Harbour from Jamaica and y^e Bay of Campechio loaden wth Loggwood, & before her departure from out of Jamaica, haveing given Bond with another, & y^e Master M^r Richard Ripley that the said Pincke should returne back to Jamaica by y^e first Convenience, or in twelve Months after y^e Date of the said Bond, That is to say, by y^e 18th day of ffebruary next, y^e danger of the Seas & Death excepted; These are to Certify all whom it may Concerne, that since y^e Arrivall of the said M^r Walker into this Porte wth his Pincke as aforesaid, hee hath been detayned here contrary to his Expectation by his Ships being questioned to bee an unfree Ship, as also by severall Differences and Debates at Law between him & his Master, and likewise between others and him, soe that by the meanes aforesaid hee cannot in probability comply wth his time of returning to Jamaica, but hath given Bond for the performance of his Engagem^t with his first Convenience. Given under my Hand and Seale at fforte James in New Yorke on y^e Island Manhatans this 17th day of January in y^e 23th yeare of his M^a^{ties} Reigne, Annoq³ Dñi. 1671.

1671/2
Jan. 17

[Francis Lovelace.]

G. E.
4:94
(NYSL)

A Pass-porte for M^r Tho: Walker
to depart hence with his Shipp &c:

1671/2
Jan. 19

Permitt & suffer y^e Pincke Batchelors Delighte now rideing at Anchor in this Harbor, Thomas Walker halfe Owner & Command^r bound for Jamaica to Passe out of this Porte wth her Ships Company, Goods, Merchandize, & Necessaries without any manner of Lett, hindrance, or Moles-taçon whatsoever. Given under my Hand & Seale at fforte James in New Yorke this 19th day of January in the 23th yeare of his Mā^{ties} Reigne, Annoq̄ Domini 1671.

[Francis Lovelace.]

To all Offic^{rs} & others whom
this may Concerne.

G. E.
4:94
(NYSL)

A Warrant for y^e seizing upon M^r Walker
& bringing him back to this City.

1671/2
Jan. 21

These are in his Mā^{ties} Name to require you to Attach y^e Body of M^r Thomas Walker one of the Owners & Coñmander of the Pincke Batchelours Delighte, and that you bring him back to this City to make Answer to the Suites of Docto^r Henry Taylo^r Dirck Van Cliffe, William Merritt, & Diverse other Credito^{rs} As also for his Contempt in goeing away with his Ship without Clearing at the Custome House. And for soe doeing This shall bee your Warrant. Given under my Hand at fforte James in New Yorke this 21th day of January. 1671.

Fran: Louelace

To Philip Johns
Haven-Master.

Some Persons are to bee left on board to secure y^e Ship,
that shee depart not till further Order.

No. LXVII.

WESTCHESTER — JOHN PELL *vs* JOHN RICHBELL
ABOUT BOUNDARY AND TRESPASS.

Recorded for M^r John Richbell, the 6th day of June 1666, this Indyan Deed. (Sec. State)

Deeds
2: 128

I Wompoqueum, together with my Brother Mahatahan, being the right owners of three Necks of Land, lying and being Bounded on y^e East side with Mamaranock River, and on y^e west side, with the Stony River, which parts the said Land, and M^r Pells Purchase; Now These are to Certify, to all and every one whom it may concerne, That I wompoqueum, did for my selfe, and in the behalfe of my above said Brother, Mahatahan, firmly Bargaine & Sell to M^r John Richbell of Oyster Bay,¹ to him and his Heires forever, the above mentioned three Necks of Land, together with all other Priviledges there unto belonging, Six weekes before I sold it to M^r Tho: Revell, And did marke out the Bounds, and gave M^r Richbell possession of the said Land, and did receive part of my pay then in hand, as Wittnesse my hand

The Marke X of Wompoqueum.

[n. d.]

Recorded
1666
June 6

Wittnesse

Jacob Yongh
Catharin Yongh.

¹ Richbell was a merchant at Charlestown, Mass., before he came to Oyster Bay, and Revell came from the Barbados. Richbell bought Horse Neck, on September 5, 1660, and conveyed it to Nathaniel Silvester, of Shelter Island, and others, on October 18, 1666. He and his wife, Ann, also conveyed to Silvester, and others, their dwelling house, gardens and other lands (altogether twenty acres) at Cove Neck, in Oyster Bay, on November 17, 1666. For documents on his relations with Oyster Bay, see *Deeds*, vol. 2, pp. 11, 12, 15, 102-112, 224-232; *ibid*, vol. 3, pp. 93-99, 119-126, 148; *Court of Assizes*, vol. 2, pp. 7-14. On his controversy with Revell, see also *Orders, Warrants, Letters*, vol. 2, pp. 48, 66.

Deeds
2:192
(Sec. State) Mar: 13th
1666

[Indian Deed to John Richbell.]

Recorded for M^r Richbell.Mammaranock, y^e 23^d Sept^r 1661.

1661
Sept. 23
Recorded
1666/7
Mar. 13

1.¹ Know all Men by these pres^{ts} That I Wappaquewam Right Owner & Proprietor of part of this Land, doe by Order of my brother who is another Proprietor, & by consent of the other Indyans doe this day, sell, lett & make over from mee my heyres & assignes for euer, unto John Richbell of Oyster bay his heyres & assignes for euer three Necks of Land, The Eastermost is called Mammaranock Neck, & the westermost is bounded with M^r Pells purchase: Therefore know all Men whom these presents concerne that I Wappaquewam, doe this day alienate & estrange from mee, my heires & assignes for euer unto John Richbell his heyres & assignes for euer, these three necks of Land with all the Meadowes Riuers & Islands thereunto belonging, Also the s^d Richbell or his Assignes may freely feed Cattle or cutt Timber twenty miles Northward from the marked Trees of the Necks; ffor & in consideraçon the s^d Richbell is to giue or deliuer unto the aforementioned Wappaquewam the Goods here under mentioned, the one halfe about a moneth after the date hereof, & the other halfe the next Spring following, As the Interpreters can testify; & for the true performance hereof, I wappaquewam doe acknowledge to haue rec^d two shirts & ten shillings in wampom, the day & date aboue-written.

Twenty two Coates.
one hundred fathom of Wampom.

¹The six numbers attached to documents in this group simply show sequence in the manuscript volume. They are printed here in chronological order.

Twelue shirts.

Ten paire of Stockings.

Twenty hands of Powder.

Twelue barrs of Lead.

Two firelockes.

ffifteene Hoes.

ffifteene Hatchets.

Three Kettles.

Deeds
2: 192
(Sec. State)

1661
Sept. 23

Recorded
1666/7
Mar. 13

The Deposition of John Finch & Edward Griffen both of Oyster bay.

Deeds
2: 193
(Sec. State)

2. These Deponents testify & affirme, That they being at Peter Disbroes Island (being to the westward of Grenewich) the 23^d day of September last past, & being there employed by m^r John Richbell for to Interpret betwixt the said m^r Richbell & the Indyans (mentioned in this writing annex't) about the purchase of three Necks of Land, The said Deponents doe both of them affirme, that this herein written was a true and reall bargaine, made the day aboues^d betwixt the said M^r John Richbell & the said Indyans, & the Condiçions thereof.

1661
Dec. 20
Recorded
1666/7
Mar. 13

Taken before mee
John Hickes.

Hempsteed this 20th of
December. 1661.

The deposition of John ffinch of Oyster bay & also of Edward Griffen.

Deeds
2: 196
(Sec. State)

5. The s^d Deponents vpon Oath testifye, m^r John Richbell Merchant of Oyster bay, did buy of Wappaquewam a certaine Tract of land lyeing westward of the River called Mammaranock Riuer & bounded by Land purchased by m^r

1661/2
Mar. 11
Recorded
1666/7
Mar. 13

Deeds
2:196
(Sec. State) Thomas Pell of the Indyans, The said Wappaquewam being
1661/2
Mar. 11 (as the said Wappaquewam & Mathetuson did enforme) to
Recorded
1666/7
Mar. 13 sell all his propriety in the s^d Land, & himselfe with Edw^a
Griffin accompanied the said John Richbell, unto y^e s^d
Indian Wappaquewam to buy the s^d Lands, which accord-
ingly hee did, & payd unto the s^d Wappaquewam in part of
payment for the purchase of the said Lands, Two shirts &
ten shillings in wampom, and agreed upon Time for the
payment of the residue according to a writing made at
Momoronock River, bearing date 23^d of Sept. 1661. & on
that day the said Richbell tooke possession of the s^d Lands.

In & upon the 7th day of March 1661. The s^d John
Richbell employed them the s^d Deponents & one Jacob
Young a Sweed (which are Indian Interpret^{rs}) to goe with
him to the Indyans to talke wth them, Hee the s^d Richbell
hearing a Report that y^e s^d Indian Wappaquewam had
afterwards sold the s^d lands to m^r Revell, & in our voyage
to speake wth Wappaquewam wee met with his brother
Mathetuson alias Mohey afores^d, who did fully maifest unto
us that hee (according to his brothers Informaçon) did
employ & giue power to his brother Wappaquewam to sell his
propriety of Land to m^r Richbell, whom Wappaquewam
enformed him would buy it of him, & withall did relate to
vs severall of the particulars that the said John Richbell
by agreement was to pay for the s^d Lands: Moreouer the
s^d Mathetuson seemed to bee much disturbed in his Mind,
That any Contract was made with any other for y^e said
lands, hee affirming that hee knew not that any other then
John Richbell had made any contract about it, untill hee
came downe to the Sea Coast, wherefore m^r John Richbell
did tell the s^d Mathetuson that hee was now come to settle &
plant the same, And the said Mathetuson did giue him free

liberty to the same, onely desiring M^r Richbell that hee might
 bee payd for it, & not to loose his pay for a Neck & halfe (Sec. State)
 of Land, which hee was yet unpaid for:

To the former part were deposed John ffinch & Edward
 Griffin the 11th of y^e 1st Moneth $\frac{61}{62}$

Deeds
2:196

1661/2
Mar. 11

Recorded
1666/7
Mar. 13

Before mee

Rich: Lawes.

To the latter part the s^d John ffinch & Edw^a Griffin &
 also Jacob Young haue deposed this 11th 1st $\frac{61}{62}$

Before mee

Richard Lawes.

The Deposiçon of Peter Disbroe of
 Monussing Island ætatis suæ 30th (Sec. State)

Deeds
2:194

3. The s^d deponent upon Oath Testifieth, that M^r Rich-
 bell &c, went to M^r Reuell (then on the Island afores^d) &
 warned M^r Revell not to buy the Land beyond Mamma-
 ranock Riuer of the Indiyans, for that (hee said) hee had
 bought it already: At that time Wappaquewam came to my
 house M^r Richbell and John ffinch being there also, the said
 Wappaquewam said hee was the Owner of the Land, & did
 in my hearing owne that hee had sold the land to m^r Rich-
 bell, but the other Indiyans ouer persuaded him to sell it to
 M^r Reuell, because hee would give a great deale more; The
 said Wappaquewam did also owne that hee had rec^d part
 of pay for the Land, of m^r Richbell & John ffinch: This to
 my best understanding was y^e Indiyans speech unto them;
 Also at the same time the said Indyan Wampaquewam did
 verbally offer unto M^r Richbell the pay that hee had rec^d

1661/2
Mar. 12

Recorded
1666/7
Mar. 13

Deeds
2: 194
(Sec. State) in part for the s^d Land, But m^r Richbell refused saying hee would not receiue it, but according to bargaine hee would haue the land & pay him (the s^d Indyan) his pay: Moreover the said deponent saith that M^r Revell being at his house (before the former discourse) that hee the said deponent did tell M^r Reuell that the Land was agreed for by John Finch, & some part of the pay paid. This deposed unto the 12th of 1^M $\frac{61}{62}$:

Before vs
Richard Laws
Francis Bell.

Deeds
2: 195
(Sec. State)

The deposiçon of William Joanes of Monussing Island about 22 yeares of age.

1662
Apr. 5
Recorded
1666/7
Mar. 13

4. The s^d Deponent upon Oath testifieth, That Thomas Close & himselfe being mates, the said Close having beene at Oyster bay, upon his returne to Monussinge afores^d did tell him that when hee was at Oyster bay, That John ffinch & Henry Disbroe of Oyster bay did tell him, that John ffinch & m^r Richbell had agreed to purchase the land at Mammaranock Riuer, & desired him not to discouer what hee had told them, for that hee had promised them to keepe silence, & if it should bee knowne that he had told him (the said Joanes) hee should then bee counted a Trayto^r, this was about September 1661: Severall moneths after m^r Richbell & John ffinch & Edward Griffin being at Mammaranocke Riuer, & they waiting for the Indyan coming to them to receive that part of the pay for the land as was agreed then to bee paid, & m^r Richbell had then by him; They wanting bread sent for some to the Island Monussing, wherefore the s^d Deponent

went & carryed them some: When to the land hee came, m^r Richbell had there sett up a Shedd to shelter from the weather, & tooke possession there, staying for y^e Indians to receiue the pay as was promised, M^r Revell being then at Monussing, & hearing that M^r Reuell came to buy the land, did tell m^r Richbell what hee had heard: Wherefore m^r Richbell & John ffinch & my selfe came to Monussing, m^r Richbell saying that hee would purposely goe to forewarne M^r Reuell not to buy the land, being hee had already agreed for the same: When to Monussing they came, there was some of the Indyans that had sold y^e land viz^t Cakoe & wappaquewam, who would haue secretly gone away (as they judged) but that John ffinch spyeing of them, called then againe, saying to them, are you ashamed of what you are doeing; Then at peter Disbroes house the said Cakoe & Wappaquewam did tender to m^r Richbell & John ffinch the pay againe which they had rec^d in part of payment for the Land, but they refused, John ffinch & m^r Richbell saying to them that they would stand to y^e bargain that they had made: The said Wappaquewam did there fully owne that hee had sold the Land to m^r Richbell & John Finch: Stamford Apr 5th 1662. given before mee

Deeds
2: 195
(Sec. State)

1662
Apr. 5
Recorded
1666/7
Mar. 13

Rich: Lawes.

The originall was Interlin'd
before deposed (unto) in the
28th line, (And M^r Richbell)
In the 13th line (Monussing).

The Testimony of Jonathan Lockwood
being aged 30. yeares or thereabout.

Deeds
2: 198
(Sec. State)
1665
Apr. 4

6. Saith, I being at peter Disbroes, & m^r Thomas Reuell being there present, I heard m^r Revell say hee was buying

Recorded
1666/7
Mar. 13

Deeds
2:198
(Sec. State) a parcell of Land of the Indyans of the West side of Mamaranock River to m^r Pells land & I wish't him not to medle with it, for it was already bought by m^r Richbell, & I was a wittnesse to it, I see a part of the moneys payd for it by m^r Richbell, M^r Revell made this answer to mee, that howsoever hee would buy it, & M^r Ritchbell & hee would try for it afterwards: ffarther this Deponent saith not.
1665
Apr. 4
Recorded
1666/7
Mar. 13
Given in upon Oath before mee, Stamford Apr. 4th 1665
Rich: Lawes.

Taken out of the Records & compared there with this
23^d of August 1665

Ⓜ me John Allyn Recorder.

Land
Papers
1:33
(Sec. State) [[John Richbell's Patent at Mamaroneck.]]¹
1668
Oct. 16 Francis Lovelace Esq^r Whereas there is a Certain parcell or tract of Land within this Gover[n]ment upon the Main Contained in three Necks of which the Eastermost is bounded with a Small river commonly Called Mamaroneck river being also the East bounds or limits of this Gover[n]ment upon the Maine & the westermost with the Gravelly or Stony brook or river which makes the East Limitts of the Land Known by the Name of M^r Pells purchase haveing to the South the Sound and running northward from the Marked trees upon the Said Necks twenty Miles into the woods which Said parcell or Tract of Land hath been heretofore Lawfully purchased of the Indian proprietors by John Richbell of Mamaroneck Gen^t in whose possession Now it is and his title thereto Sufficiently proved both at Several Courts of Sessions as also at the General Court of assizes Now for a Confirmation unto him the said John Richbell in

¹ On the confirmation see also *Deeds*, vol. 4, p. 27.

his possession & Injoyment of the premisses Know ye that by vertue of the Commission and Authority unto me Given by his royal Highness I have Given Ratified & Confirmed & Granted and by these presents do give ratifie Confirm and Grant unto the Said John Richbell his heirs and assigns all the aforementioned parcell or tract of land as aforesaid Together with all woods beaches Marshes pastures Creeks Waters lakes fishing Hawking hunting and fowling and all other profits Commodities and Emoluments to the Land parcell or Tract of Land belonging Annexed & appertaining with their & Every of their appurtenances and of Every part & parcell thereof and in regard of the distance of the plantations already Settled or to be Settled upon the said necks of land from any Town the persons inhabiting or that Shall Inhabit thereupon Shall have a petty Constable Chosen amongst themselves yearly for the preservation of the peace & Dicision of Small differences under the value of fourty Shillings and they Shall be Excused from all Common attendance at Trainings or other ordinary duties at Westchester But in Matters of assessment & Publick rates they are to be Taxed by the officers of that Town to the which they properly belong being the nearest unto them To have and to hold the Said parcell and tract of Land in the Said three Neecks Contained and premisses with all and Singular the priveledges & appurtenances to the Said John Richbell his heirs and assigns to the proper use and behoof of the Said John Richbell his heirs & assigns forever as free land of Inheritance rendring and paying as a quit rent yearly and Every year the value of Eight bushels of Winter Wheat upon the five and twentieth day of March if demanded unto his royal highness and his heirs or to Such Governour or Governours as Shall from time to time be appointed & Sett over them Given Under My hand & Seal

Land
Papers
1: 33
(Sec. State)

1668
Oct. 16

Land
Papers
1: 33
(Sec. State)

1668
Oct. 16

at ffort James in Newyork on Manathans Island the Sixteenth day of October in the twentieth Year of the Reign of our Sovereign Lord Charles the Second by the Grace of God of England Scotland ffrance & Ireland King Defender of the faith &c Annoq̃ Domin[i] 1668

Francis Lovelace

Recorded by order of the Governour the Day and year above written

Endorsed: Copy of John Richbells
Patent from
Governour Lovelace
17 [sic] Oct^r 1668

C. A.
2: 204
(NYSL)

1669
Sept. 13

A speciall warr^t for hearing at y^e Assizes ¹

Whereas John Richbell of Momoronock hath made Complaint unto me That you Thomas Pell of Anne Hooks neck Doe unjustly detaine & keep from him a certaine parcell of meadowe Ground lyeing & being neare unto or upon one of y^e three necks of Land at Momoronock, And he y^e said John Richbell hauing Petiçoned me That the Title & clayme on each parte may be heard & determyned at y^e Assizes, These are in his Ma^{ties} name to require you to appeare at this next Gen^{tl} Court of Assizes to be held in this Citty beginning on y^e first wednesday in y^e month of October next, Then & there to make Answer to y^e Complaint of y^e said John Richbell, upon y^e Tryall of your Title to y^e said meadowe Hereof you are not to fayle at your perill, Given und^r my hand & seale at ffort James in Newe Yorke this 13th day

¹ For an order of same date, see *Orders, Warrants, Letters*, vol. 2, p. 534; also an earlier reference to the dispute in *ibid*, p. 334 (February 17, 1668/9).

of September in y^e 21th yeare of his Ma^{ties} Raigne Annoq^d
Domini 1669.

C. A.
2 : 204
(NYSL)

[Francis Lovelace.]

To M^r Thomas Pell at

Anne Hooks neck or elsewhere.

1669
Sept. 13

A Speciall Warr^t for Jeremy Cannon, als
Dorman, James Mott, Roger Pedley to
appeare at y^e Assizes to answer M^r Pell
in a Case of Trespas.

G. E.
4 : 39
(NYSL)

Whereas M^r John Pell of y^e Manno^r of Anne-Hooks Neck
hath made Complaint unto mee that Jeremy Cannons als
Dorman, James Mott, Roger Pedley, & James [*blank*] a
Serv^t belonging to M^r John Richbell of Momoronock, have
together or apart at severall times co^mmitted a Great Tres-
pass, in carrying away severall parcells of Hay made up in
Stack upon his Land, & there being one Stack of Hay
lately burnt upon y^e said Land, of w^{ch} there is great suspition
one or more of the persons aforemen^coned are guilty; These
are in his M^a^{ties} Name to require y^e said Jeremy Cannon
als Dorman, James Mott, Roger Pedley and James [*blank*]
M^r Richbells Servant as aforesaid, That they make their
Appearance at y^e next Geⁿ^{ll} Court of Assizes to be held in
this City beginning on y^e first Wednesday in October next,
w^{ch} will be on y^e fourth day of y^e said Month, then and there
to make Answer to y^e Complaint of M^r John Pell in y^e Matters
aforesaid, & that they forbear y^e giving y^e said M^r Pell any
Molesta^con by carrying away any more Hay from y^e said
Land untill y^e difference between him & M^r Richbell about
their Title be decided. Hereof They nor any of them are
not to faile as they will Answer the Contrary at their Perills.
Given under my Hand & Seale at Forte James in New Yorke

1671
Sept. 22

G. E. this 22th day of September in y^e 23^d yeare of his M^a^{ties}
 4:39 (NYSL) Reigne, Annoꝝ Dñi 1671.

Fran: Lovelace

1671
 Sept. 22 To Jacob Young of Ann-Hooks Neck,
 or any other person whom M^r Pell shall
 Employ upon this Occasion to see this
 Speciall Warrant served, & returne made
 thereof at y^e Assizes.

G. E. Commission^{rs} appointed to View y^e Bounds
 4:59 in difference between M^r Pell, & M^r
 (NYSL) Richbell

1671
 Oct. 21 Whereas It was ordered at y^e late Geñ^{rl} Court of Assizes,
 That some persons of good Judgm^t should bee appointed to
 view y^e Bounds in difference between M^r John Pell, & M^r
 John Richbell, w^{ch} divide Anne-Hooks Neck and Momor-
 ronock, of y^e w^{ch} They are to make Reporte unto mee, To
 y^e end a Conclusion or Composure may be made about that
 Matter, These are to desire and Authorize you Cap^t Dudley
 Lovelace, Cap^t Jaques Cortelijau, M^r Elyas Doughty, Cap^t
 Richard Ponton, & M^r John Quinby who are y^e Persons
 that then were appointed by y^e Court, that you some time
 this p^rsent week, at a p^rfixt day to be agreed upon amongst
 yo^rselves, repaire upon y^e place, & there by yo^r view &
 Enquiry of persons acquainted with those Bounds, receive y^e
 best Informa^çon you can, & make Reporte thereof, with
 your Judgm^t thereupon unto mee; ffor y^e doing of w^{ch}
 This shall be your Warrant. Given under my Hand at
 fforte James in New Yorke this 21th day of October. 1671.

ffra: Lovelace

To y^e Com^{rs} appointed by
 y^e Court of Assizes.

An Ord^r about M^r Pell & M^r Richbell.G. E.
4:88
(NYSL)

Whereas an Ord^r issued forth at y^e Last Geñ^l Court of Assizes, concerning a Matt^r in difference between M^r John Pell, & M^r John Richbell on behalfe of some others who were Sued as Trespassers, whose Cause M^r Richbell undertooke to Defend, They being employed by him, And according to y^e said Ord^r Commission^{rs} haveing mett, & been upon the place, & made Reporte of y^{er} Judgm^{ts}, but noe Conclusion or Agreem^t of y^e Difference hath yet been attained unto, Soe that Suite is made to have a Tryall of their Title at a Speciall Court of Assizes, as was Ordered at y^e Court aforemençoned. In Prosecuçon of y^e said Ord^r of Assizes, since all wayes of an amicable Composure have proved fruitless, I have thought fitt to Ord^r & Appoint That Tuesday y^e 6th day of ffebruary next shall bee the Day of Meeting of y^e said Co^{rt} to heare & Determine y^e Matter in Difference between y^e said Persons at the State-House in this City. In y^e meane time they may on both sides prepare themselves for a Tryall. Given under my Hand at fforte James &c: this 16th day of Jan^{ry}. 1671.

1671/2
Jan. 16

[Francis Lovelace.]

An Ord^r about M^r Pell, & M^r Richbell.G. E.
4:91
(NYSL)

Whereas an Ord^r issued forth at y^e Last Geñ^l Court of Assizes concerning a Matter in difference between M^r John Pell, & M^r John Richbell on behalfe of some others who was sued as Trespassers, whose Cause M^r Richbell undertooke to Defend, both of them laying Clayme to y^e same piece of Land, whereupon Complaint was made that Trespasse had been committed, And according to y^e said Order Co^mmission^{rs} haveing mett, & been upon y^e Place, but noe

1671/2
Jan. 18

G. E.
4:91
(NYSL)
1671/2
Jan. 18

Conclusion or Agreem^t was made by them, nor amongst themselves, soe that they sue to have a Tryall at a Speciall Court of Assize as was ordered at the Court aforemen^coned; In prosecution of y^e said Order of Assizes, and at y^e Request of the Parties, I have thought fitt by Consent to Order and appoint That Thursday the first day of ffebruary next shall bee the Day of Meeting of y^e said Court to heare and determine the Matter in difference between y^e said Persons at y^e State-house in this City; In y^e meane time They may on both sides prepare themselves for a Tryall by a Jury or the Bench. Given under my Hand at fforte James in New Yorke this 18th day of January. 1671.
[Francis Lovelace.]

A Sub-pœnâ was then sent forth to Summon M^r Robert Pennoyer of Momoronock, & M^r John Archer of ffordham to give in their Evidence at y^e said Court, concerning the difference between M^r Pell, & M^r Richbell. &c.

G. E.
4:92
(NYSL)

Another Ord^r about y^e difference
betwixt M^r Pell & M^r Richbell.

1671/2
Jan. 18

The Reporte of y^e Commission^{rs} appointed by y^e Co^{rt} of Assizes to View the Bounds in difference between M^r John Richbell & M^r John Pells Land haveing been delivered unto mee Sealed up, & now opened and read before mee & my Councill, Vpon perusall & Considera^con had hereupon, I finde that two of the Commission^{rs} have made Reporte, That between y^e two Brooks in Dispute called Stoney & Gravelly Brooks there is a Tree markt on y^e East side with J. R. & on the West with T. P. from the which if there were a Line runn directly downe to the Sound, it would divide y^e Meadow in difference in the middle, & putt an End to y^e Matter in question, but neither of the other three Com-

mission^{rs} agree amongst themselves as to their Opinions of the Bounds. Wherefore in regard that I am very desirous an amicable Composure of this Difference may bee made between both parties, I doe recommend the Reporte of the two Commission^{rs} to bee Observed as a Medium to end all Differences. However if either Party shall not seem satisfied therewith, They have still Liberty to proceed to a Tryall before a Speciall Court according to y^e Order of y^e Last Geñ^{rl} Court of Assizes. Of their Resolu^{co}ns here-upon a speedy Answer is expected, That Order may bee taken accordingly. Given under my Hand at Forte James in New Yorke this 18th day of January. 1671.

G. E.
4:92
(NYSL)
1671/2
Jan. 18

[Francis Lovelace.]

Another Ord^r about M^r Pell & M^r Richbell made after their Agreem^t or Composure.

G. E.
4:95
(NYSL)

Whereas there is an Amicable Composure made of y^e difference between M^r John Richbell & M^r John Pell concerning the Neck of Land lyeing between Stoney & Gravelly Brooke to the Eastward of Anne-Hooks Necks, y^e w^{ch} is agreed upon to bee divided equally between them, both Meadow & Vpland, quantity & quality alike, w^{ch} Agreem^t I very well approve of; These are to require you that some time the next week or wth your first Convenience you repaire hither, where you shall receive farther Directions concerning the laying out the said Neck of Land, soe to putt a finall End & Determina^{co}n to that Dispute, of w^{ch} at yo^r Returne you are to render mee an Acco^t & for soe doing this shall bee yo^r Warrant. Given &c: this 25th day of January 1671.

1671/2
Jan. 25

[Francis Lovelace.]

To Cap^t Jaques Cortelijau
Surveyo^r Geñ^{rl}

No. LXVIII.

NEW YORK AND MASSACHUSETTS BOUNDARIES.

G. E.
4:177
(NYSL)

Letter from y^e Governo^r & Councell of y^e Massa-
chusetts to his Hono^r Coll: ffancis Lovelace.

S^r:

1671/2
Mar. 12

Wee salute you kindly. Our Allegiance to our Gracious Sovereigne, yours & our Safety, together wth our just right to that part of y^e Countrey, to y^e Northward of his Highness the Duke of Yorkes Territories beyound New Yorke, requires that wee endeavour Settlem^t on that side of our Colony nigh Hudsons River, least through our neglect thereof, the ffrench settling in our Libertyes draw upon us his Mā^ties Displeasure, & our Loss & extream p^rjudice, w^{ch} wee are carefull to avoid. S^r wee feare your not likeing well of our Endeavo^rs herein; Wee doe therefore request that ffavour that you will bee pleased for our Accomoda^{ti}on in that behalfe to permitt that some person or persons whom yo^rselfe may think fitt for M^r Jn^o Payne to make choice of, for their Travailes & Knowledge of that part of y^e Countrey & Wilderness, wthin our Libertyes, may for his reasonable satisfaction make Discovery to him of such Place wthin our Rights as may bee most encouraging for settlem^t; And that you will likewise bee pleased to signify to us yo^r kinde Admittance, that wee as yo^r Neighbo^rs & Subjects of one Gracious Sovereigne may have free Egress, & Regress upon Hudsons River for Transportacon of People and Goods; w^{ch} will much ease our Charges therein, & yo^r kinde Returnes by our Messenger whom wee have trusted & employed in

this Affayre shall engage all amicable and like assistance
wherein wee may serve his R: Highness & yo^rselfe.

G. E.
4: 177
(NYSL)

& remaine.

S^r Yo^r Hono^{rs} humble Serv^{ts}

1671/2
Mar. 12

Edw: Rawson Sec^r.

In y^e Name & by Ord^r of y^e Governo^r
& Councell.

Boston in N: England

y^e 12th Mar: 1672.¹

[John Paine to Lovelace for Massachusetts.]

Col. MSS.
22: 137
(NYSL)

To the Right^t Hono^{ble} Frances Lovelace Esq^r Gov^r

Jn^o Paine in persuaunce of the Matathusets desires offers to
y^{or} hono^r and Counsel's Consideration.

That wee conseive
to deny yo^r Neighbors the kings true Subjects ther priveledg^e
of ffree Passage vpp his Majes^t Riur for the Settlem^t of
Plantations within the Limits of ther owne Pattent Rights,
In ord^r to the furd^r jncreas of his Majes^t good Subjects, the
defens^e of those alredye Settled (together wth yor Selues allso)
from the Intrusions of a fforrain Nation cannot consis^t with
that Justis, Reason and Natvrall Loue which wee doubt not,
you may be said not only to haue butt to Owe to all his
Majes^t good Subjects, more Spetially to thos^e whose Real-
lity^e & Redines to assis^t you hath been well experienced in
the Reduceing^e this verrie Cittie, his Highness the Duke is
now Master off. ffurder considering each others true ffreind-
ship & Loveing Aide In thes times of Co^motion of the Nations
may be as Requisite and more wellcom then before. One
thing more wee offer, that when yo^r hon^r & Counsell con-

1672
[May ?]

¹ The year in this case is 1671/2, not 1672/3, as might be inferred.

Col. MSS. sulted the mattayhusets Proposals, and thout it Reasonable
 22: 137 to Grant yor keind assistance for o^r discoverie, it was then
 (NYSL) Granted for o^r jncoredge^{mt} that or Charges & Travils in that
 1672 behalf shoold not bee ffrustrate In case wee proueed Succes-
 [May ?] full jn a discoverie within the mattathusetts Line to the East
 of Hudsons Rivor, which is Don. Now the mattathusetts
 true jntents herein Js the jmprouem^t of ther owne Rights
 Only, the jncreas off Plantations, and his majes^t Subjects,
 and ther defense against the jnvations or jntrusions of a
 fforrain Nation and no vnkeind or Pollitick devise to Expand
 ther Line Or Possesions vppon anie part of his Highnes y^e
 Dukes Just Rights.

Wee therfore desire you will Pleas, as our assurance of
 yo^r like affection and keind Corrispondance, to be Possitiue
 in determinin^e in the affirmatiue y^t wee haue ou^r ffree
 Passag^e And to Ceas all missapprehentions, If you shall
 think fitt to grant or desires with that Restriction y^t wee
 Settle no Plantation on the west^{w^d} Side of Hudsons Riur
 vntil the dissisiue Pattent Lines between his highnes y^e Duke
 & y^e Mattathusets Bee ffairely Runn wee shall therto mani-
 fest o^r ffaire Compliance and keind acceptance and Remain

Yo^r Hono^{rs} hum^{ble} Serv^{ts}

Endorsed:

[Not signed]

M^r John Paines
 addresse to the Gover-
 no^r touching the
 Massachusetts &c
 1672.

G. E.
 4: 178
 (NYSL)

The Governo^{rs} Answer to y^e Letter of the
 Massachusetts, by M^r Paine Aug: 8th 1672.

S^r:

1672
 Aug. 8

I receiv'd yo^r Lett^r of y^e 12th of March 1672. by the
 hands of M^r Jn^o Paine, a Person very fitt for such an Vnder-

taking you designed him, being of a temper Active & of a singular good Comportment, & haveing perus'd the Contents of it, I found it noe Difficulty in mee to comply wth your Desires, where I saw it did not oppose the Current of my Royall Masters Interest; I must confess those generous Cogitaçons of yours to enlarge yo^r Territoryes, might doubtless have mett with more satisfaction, both to yo^r Selves, & all other Neighbouring Colonyes, w^{ch} bound on yo^{rs}, if these Resoluçons of yours had been started, when his Sacred Mā^{tie} who wisely foreseeing y^e Inconveniencyes that might arise by y^e uncertainty of Bounduaryes, happening from erroneious Principles, as Variaçon of Compasses, & other Obscuryties, traced by immaginary Lines, where though the Error at the first setting forth may appeare but inconsiderable, yet by y^e vast extension of it; will at length terminate into a palpable Encroachment, if then I say this Designe of yo^{rs} had been revealed when his Mā^{tie} out of his Princely & Paternall regard to these his American Dominions, was at that large Expence to coṃmissionate Persons of known Integrity to make Inspection into severall publick affayres; Amongst other things, this in particular was recommended to their consideraçons, t'is more then probable a positive Determinaçon would have ensued, & freed us from all future Doubts & Jealousyes, by affixing such Stations to each Lymitts as might have assured each Colonyes their undoubted Rights and possessions. But I waveing any Expostulaçon that concern'd the time before I had y^e Hono^r to assume this Charge of my Royall Master, I am now only to assure you how ready I was & shall bee to comply wth each Desire of yo^r Letter; How amicably I receiv'd yo^r Messenger, (in w^{ch} I had regard to yo^rselves as well as to his own merritt) I leave to his Candor & Justice to informe you, & because wth those I desire to converse wth by all mutuall

G. E.
4: 178
(NYSL)

1672
Aug. 8

G. E.
4: 178
(NYSL)
1672
Aug. 8

ffriendship & Correspondency, my Nature is to deale frankly & openly wth them, I am to informe you that haveing a fitt Opportunity to signify these Resolutions of yo^{rs} to my Royall Master, I have transmitted them thither, hoping before you will be ready to putt this your Affayre into practice (the unhospitableness of the yeare approaching) I may bee furnisht wth such Directions from him as may bee both agreeable to your Desires, & free mee from the Imputation of Precipitateness in too positively determining an Affayre of that Weight, without his Privity.

For the other part of your Letter concerning y^e ffrench your ffeares may be cured now, by the strict Vnion that is betwixt the two Crowns. S^r If in this or any other civill Affayre, I may anywayes bee advantagious to you, prepare but your Directions, and I shall soe comply wth them as one that desires to bee known by the Compellation of

S^r

Yo^r very humble Servant

Fran: Louelace.

N: Yorke. Augst
y^e 8th 1672.

No. LXVIII (a) .

MASPETH KILLS — CONFIRMATION OF LAND TO HENDRICK JANSEN.

Patents
3: 106
(Sec. State)

A Confirmaçon Granted unto Hendrick Jansen for a parcell of Land upon Long Island at Mashpeth Kills.

1672
May 20

Francis Lovelace Esq^r &c Whereas y^e Surveyo^r Geñ^{all} M^r Jaques Cortelijau did heretofore by Ord^r of y^e Dutch

Governour Petrus Stuyvesant Survey & lay out for Hendrick Jansen a certaine parcell of Land upon Long Island in Meshpath Kills within the Jurisdiction of Newtowne lyeing & being on the North-East side of ffrancois Hendricksẽ, and on the South-West side of Jan Hendricksẽ, stretching on either side upon a North-West Line, conteyning in Breadth ffourty Rodd, & in length one hundred & seaventy Rodd, In biggnesse about two & twenty Acres or Eleven Margen & two hundred Rodd; Together wth a piece of Salt Marsh or Valley between Gijsbert Elbertẽ & Jan Hendrickẽ of about two Acres or one Margen; as also a Lott of Land between Joris de Capres & Jan Hendricks in Breadth ten Rodd & in length from the High-Way to the Meadow or Valley. All which the said Hendrick Jansen hath for severall years been in Possession of & hath Planted and manured the same. Now for a Confirmation unto him the said Hendrick Jansen in his Possession & Enjoyment of the Premisses &c:—
The Patent Dated May 20th 1672.

Patents
3: 106
(Sec. State)

1672
May 20

No. LXIX.

SCHENECTADY — DISPUTE AMONG THE
TAPPERS.

Lycence for Cornelij's Cornelijssen Vielen of Schanectide
to tapp Strong Beer & Liquo^{rs} there &c:

G. E.
4: 83
NYSL)

Whereas Cornelij's Cornelijssen Vielen of Schanectide
haveing made his Address to y^e Commissaryes at Albany,
desireing hee may have Liberty to tapp Strong Beer &
Liquo^{rs}, & to keep an Ordinary, in recompence of severall
Services done by him between them & y^e Maques, the w^{ch}

1671/2
Jan. 9

G. E.
4:83
(NYSL)

1671/2
Jan. 9

They have recommended to mee for my approbacon, But in regard there is a Person already there, (by name Aques Cornelijssen Gantsh an Indyan that doth y^e same by Lycence & Appointm^t of my Predecessor Coll: Richard Nicolls would give noe Determinacon therein; And it being likewise rep^resented that y^e said Aques hath not sufficient Accomodacon for Strang^{rs}, w^{ch} y^e said Cornelijs Cornelijssen Vielen doth promise to be well provided off for y^e reliefe of Strang^{rs}, & Travello^{rs}. Vpon Consideracon had hereupon I have thought fitt to Graunt y^e Request of y^e said Cornelijs Cornelijssen Vielen, & by these p^rsents doe give him free Lycence & Lyberty to tap or sell by Retayle Strong Beere or Liquo^{rs} to Strang^{rs} & Travellers at Schanectide; wth this Provisoe, That this Lycence now granted shall not take away y^e priveledge of y^e former Lycence given by my Predecessor to Aques; And that y^e said Cornelijs Cornelijssen doe keep fitting Accommodacon for Men and Horses, but doe not p^rsume to Sell any Strong Liquo^{rs} to y^e Indyans to cause any disturbance that way under y^e penalty of forfeiting this Lycence, & paying such ffine as y^e Law shall require. Given under my Hand at fforte James in New Yorke this 9th day of January. 1671.

Fran: Louelace

G. E.
4:133
(NYSL)

1672
May 6

An Ord^r about y^e Tapp^{rs} at Schanectide.

Whereas I am given to understand that some Dispute and Difference hath arisen between Cornelis Cornelijssen Vielen & Jaques Cornelijs about their keeping Ordinaryes or Tapping at Schanectide, for the w^{ch} the one had Lycence from my Predecessor Coll: Nicolls, and the other from my selfe, yet soe as that the one should not any way molest or hinder the other; Vpon Consideracon had thereupon, I have thought fitt for y^e present to Ord^r that Matt^{rs} between them shall

remaine as heretofore, that is to say that both of them have
Lycence to tapp without molesting y^e one y^e other, soe that
they regulate themselves according to y^e Customes & Lawes
in such Cases provided, & suffer noe Disorder thereby.
Given under my Hand at Forte James in N: Yorke this 6th
day of May 1672.

G. E.
4:133
(NYSL)1672
May 6

[Francis Lovelace.]

No. LXX.

DELAWARE — ENCROACHMENTS FROM MARY-
LAND, NEWCASTLE ERECTED INTO A
BAILIWICK, FORTIFICATIONS, WHORE-
KILL AFFAIRS, ETC.

[Certificate from the Whorekill about a Surveyor sent
there from Maryland.]

Col. MSS.
20:35
(NYSL)27th of April 1672

This morning appeared before vs Harman Cornelius and
John Kipshaven who informe that a certaine pson by name
M^r Jenkins who came into the Hoerkill and there surveyed
severall lands in the bay & p^rtended Co^mmission from the
Lord Baltemore threatning the In^hitants that denyeth his
power that they shall be sent far into Marylande, there to be
punished whether he has Comission or noe is vncertayne
these wee thought fitt to acquaint yo^r hono^r wth to wayte yo^r
hono^{rs} further order —

1672
Apr. 27

Will Tom
piete alrichs
Walt^r Wharton
Ed: Cantwell

Col. MSS. *Endorsed:*

20:35
(NYSL)

1672
Apr. 27

A Certificate from
the Whore Kill, about
a Surveyor sent there
from Mary land.
1672

Col. MSS.

20:29
(NYSL)

At a Councell held at Forte James
in New Yorke. May the 17th.
1672.

1672
May 17

Severall Matt^{rs} being taken into Consideraçon relating to
y^e Government, & other Affayres at Delaware, It was Ordered
as followes. Viz^t

That for y^e better Governm^t of y^e Towne of New Castle
for the future, the said Towne shall bee Erected into a Cor-
poraçon, by the Name of a Baylywick, That is to say, It
shall bee Governed by a Baily & six Assistants, to bee at
first nominated by the Governour, & at y^e Expiraçon of a
yeare foure of the six to goe out, & foure others to bee chosen
in their Places, The Baily to continue for a yeare, & then
two to bee named to succeed, out of whom y^e Governo^r
will elect one; Hee is to preside in all y^e Co^{rt}s of the Towne,
& to have a double Vote; A Constable is likewise annually
to bee chosen by y^e Bench.

The Towne Court shall have Power to try all Causes of
Debt or Damage to the Vallue of ten pounds without
Appeale.

That y^e English Lawes according to the Desire of the
Inhabitants, bee Establisht both in y^e Towne, & all Planta-
tions upon Delaware River.

That the Office of Schout bee converted into a Sheriffalty,
& y^e High Sherriffs power extend both in the Corporaçon &

River, & that hee bee annually chosen by two being p^rsented to the Governo^r, of whom hee will nominate & confirme one. Col. MSS. 20:29 (NYSL)

As to y^e Clause given in by the Offic^{rs} and Magistrates there, about having a free Trade without being obliged to make Entry here, but that it may bee done there, paying his Mā^{ties} Customes & Duty^{es}; It is thought fitt that the Determina^{ti}on thereof bee for the p^rsent suspended untill Direc^{ti}ons bee sent about it out of England, or some farther Considera^{ti}on had thereupon here. 1672 May 17

And for y^e Matter of the Whore-Kill brought by Cap^t Carr certifying that some person from Mary-land pretend Interest there, & seat themselves without Leave, The Offic^{rs} are to take care that his Mā^{ties} & his Royall Highness Interest there bee not infringed, and that they submit themselves to nor acknowledge any other Governm^t, unless they have Order to doe the same from the Governour here.

By Ord^r of the
Governo^r & Councill.

[Richard Perrot to Lovelace. Seeking Patents of Land at Delaware, for Settlement near the Whorekill.] Col. MSS. (NYSL) 20:36

May it plese youre Honer

In May Last my selfe with sume other Gentelmen of vergeney Came over to delieware to see the plase and Liking the plase wee made Choise of severall tractes of Land for our selves and nabores and had made bolde to Haue given youre Honer A visitt had not one of our Company falen ill so that wee implied M^r walter wharten ffor to paten our Land: now may it plese youre Honer About tenn dayes before I Came to seete the Marelande men Haue sarvaed it agane in the Lordes name I much fere it will disherten the Rest of the gentelmen from Cuming vp at the falle and sever- 1672 June 21

Col. MSS.
(NYSL)
20:36

1672
June 21

all more of our nabores that would Cume vp at the fale of the lefe very Honest men and good House Keepers they desired me to take them vp sum land which I am doutfull to doue vnlesse youre Honer will bee plesed to giue me permishon for it: I dout not but to se the plase well seted in tow or three yeares at the [*faded*] and A trade from London the plase is good and Helthf[ull] and wanteth nothing but peple I was in good Hopes I should haue had the Hapines to haue got vp before your[e] Honer left deliware but my hopes was in vaine I Hope youre honer will bee plesed to honer mee with A line or two whoe is youre faithfull and Obedient servant vnknone

Richard: Perrot

ffrom the Horkill

June the 21: 1672

If youre Honer plese to grant vs all the Land to vs vergenianes that lieth betwene the Horekill and the moth[er] kill wee shall take spedey Care for the seating of it as may bee Expe[c]ted at so great A distance when Layed out acording to menes familise what good Land there maye bee found in the distance I know not at present wee Have A desire to be neare together as the plase will aforde In Agust I intend [to go] to vergeney for sum Occasione of bisnes and send vp my sonn

R: P:

Addressed:

These

ffor the Honered

ffransis Loulis Esq^r

Governer and Captane

generall of nue

yorke p with

Care

Endorsed:

M^r Perrot

Whorekill—

June. 21, 1672

Proposals from Cap^t Edmond Cantwell to Col. MSS.
his Hono^r y^e Governo^r on y^e behalfe of ^{20:29}
himselfe, & the rest of his Neighbo^{rs} y^e
Inhabitants at Delaware. (NYSL)

1. That his Hono^r would please to give his Instructions [1672
July ?]
about the finishing y^e Blockhouse in Delaware, w^{ch} standeth
still in that posture his Hono^r left it; It is high time that
some speedy Order bee taken therein, in regard not only of
the Troubles now likely to ensue from the Warrs in Europe,
but that what is already expended thereupon will bee as
good as thrown away by reason as it is now, it only stands &
rotts; It is humbly conceived that the most effectuall means
to bee used for y^e Accomplishment will bee by a Gen^{all} Tax
to bee imposed both upon Towne & River.

2. That his Hono^r would please to make some Order for
the restrayning of Persons to goe amongst the Indiyans wth
Liquo^{rs} & Drink to sell, whereby great Mischiefe doth
frequently arise; there being diverse of late that leaving
their own Homes have taken what quantities of Drink
(& other Trade) they pleasd, & gone a hundred or two of
Miles to the Indiyans Plantations, & there (for a little
proffitt) selling what that had to the Indiyans, great Vproars
and Disturbances have arisen, insoemuch as the Christians
living near them have been putt into great ffrights, & unless
great Wisdome had prevented, tis believed that Murder had
many times been committed by y^e Salvages meerly through
that Occasion; It were very necessary that this Abuse were
regulated.

3. That his Hono^r would please to nominate some
Person or other to receive the Quit Rents there, there being
diverse persons who pretend they are ready to pay them if
they knew to whom.

Col. MSS.

20: 29
(NYSL)[1672
July ?]

4. And that in regard there hath been great Comp^{ts} from Maryland (about Servants runn[ing] away from thence, who pass thorough New Castl[e] that the Inhabitants of New Castle doe rather help to convey them away then stop them, & soe are accused as being instrumentall to their Escape, It were necessary some Order were made as to that particular; Empowering some Person at New Castle to grant Passes or Ticketts to People that pass to & againe in those parts (w^{ch} person is to question & examine them) & also laying a ffine upon those who shall bee found to convey away such Persons as are Runn-aways.

Col. MSS.

20: 30
(NYSL)

Whereas y^e Proposals hereunto annexed were presented unto mee by Cap^t Edmond Cantwell I have thought good to give this Result thereupon, together wth the following Ord^{rs} concerning the Regulation of Affayres in Delaware.

1672
August

In Answer to y^e first Proposall about the New Block house at New Castle in Delaware; Since my former Ord^{rs} concerning y^e finishing thereof have been noe better observed, I doe once more enjoyne them y^e compleating of it, before the first day of November next, & that under the penalty of one thousand guild^{rs} Seaw^t in case of Default; As to y^e way of raising a Tax or Contribu^{con} for the Effecting thereof, It shall bee left to the Discretion of the Officers there either to raise it by the way proposed, or any other they shall judge most convenient.

To y^e second concerning y^e great Abuse in selling strong Liquo^{rs} to the Indyans, I doe hereby Order, & strictly enjoyne the Magistrates & Officers at New Castle & other

parts in Delaware River to cause the Lawes & Ord^{rs} heretofore made on that behalfe to bee more carefully & severely putt in Execu^{con} for the future to prevent such Danger & ill Consequences as otherwise might thereby ensue.

Col. MSS.
20: 30
(NYSL)

1672
August

3. As to y^e third, That a Person bee nominated to receive the Quit-Rents in Delaware River, I have thought fitt to Order & Appoint Cap^t Edmond Cantwell, who is to bee the p^rsent High Sheriff, to bee Receiver & Collector of the said Quitt-Rents, for the w^{ch} hee shall have my Authentick Commission, & for his Trouble & paines therein, hee shall have a reasonable Allowance.

4. And as to y^e fourth about the Runn-away Servants that frequently pass through Delaware either in coming from or goeing into Maryland & Virginia, It is ordered that noe Person or Persons, but such as have Passes and Certificates, or can give a good Acco^t of their Travailes towards these parts, or goeing from hence, shall bee permitted to travaile, but shall bee apprehended, & kept in safe Custody, untill it bee made known what they are, & to whom they doe belong; The Care hereof is to bee committed to y^e Bayliff of New Castle, & y^e High Sheriffe, who are to Act joyntly herein, both as to the Examining of their Ticketts or Passes, and likewise to give Ticketts to such as shall have Occasion thereof; And noe person is to presume privily to conceale or convey away any such Servant, but if hee bee acquainted therewth, that hee give Notice of any such Runaway unto the Magistrates or Officers under the penalty of [blank].

It is likewise Ordered, That Cap^t Jn^o Carr, y^e present Bayliff, & High-Sheriffe, M^r W^m Tom, & M^r Hans Block, or any three of them have Inspection into y^e Arreares of the Quitt-Rents, the ffines about the Long ffinn, as also the Taxes & Rates for the keeping the High & low Courts in

Col. MSS. New Castle & Delaware River, & all other publick Rates and
20: 30 Taxes, to make Enquiry how & where they have been dis-
(NYSL) posed of, or in whose hands they are, and where any per-
1672 sons are in Arreare to levy the same by Distress; Of all
August which they are to render mee an Exact & speedy Acco^t that
all Abuses therein may bee regulated.

Whereas his M^a^{tie} hath been pleased to give Order that his Declara^on of Warr against the States Geⁿ^{all} of the Vnited Belgick Provinces, should bee proclaimed in all his Colonies & Territories, It is ordered That forthwith after y^e Arrivall of Cap^t Edmond Cantwell at New-Castle the said Declara^on is publickly to bee read there, & also at the Whore-Kill as soon as Opportunity shall p^rsent to send from thence thither.

That the great Gunns bee wth all convenient speed sent up to the Block-houses in Delaware River according to my former Ord^r, And that the greatest bee disposed of according to the distance of the Places.

As to y^e Determina^on of y^e Busyness between Foppe Outhout & Isaack Tyne w^{ch} soe long hath been in Dispute, That the Ord^{rs} made by the Co^r^t at New Castle concerning the same bee inspected & examined into by y^e p^rsent Bayliff & Assistants in y^e p^rsence of Cap^t Carr & M^r Tom, or one of them, who together are to make a finall result thereupon, there having been some Misinforma^on heretofore given unto mee, as to that particular Affayre, w^{ch} is the Occasion of it's being now called in question.

And Lastly, It is to bee taken notice of, That although there is an Alteration as to the Offic^{rs} & holding of Courts at New-Castle, yet this doth noe way intrench upon the Priveledges of the High Court for the Towne & River, w^{ch} is to continue in the same manner it did formerly without any Moles-
tation or Interruption upon this or the like Accompt.

Given under my hand at Forte James in New Yorke this [blank] day of August in the 24th yeare of his Mā^{ties} Reigne, Annoꝝ Domini 1672.

Col. MSS.
20:30
(NYSL)

[Francis Lovelace.] 1672
August

The Governo^{rs} choice of Offic^{rs} for y^e Whore-Kill.

G. E.
4:180
(NYSL)

Vpon y^e Returne of a double Number from y^e Inhabitants at the Whore-Kill in Delaware Bay for Schout & Coñissaryes I doe approve of Hermanus Fredrick Wiltbank to bee Schout, & of Ottho Wolgast, William Claesen, & Isaack Savoy to bee Coñissaryes for the space of one yeare ensueing, after the Expiration of which time they are to make a New Returne. Given under my Hand at fforte James in New Yorke. Aug: y^e first 1672.

1672
Aug. 1

[Francis Lovelace.]

Commission for M^r Peter Alricks to bee
Bayliff at New Castle in Delaware.

G. E.
4:179
(NYSL)

Whereas M^r Peter Alricks is one of y^e two Persons whose Names are returned unto mee, out of which to make choice of one to bee Bayliffe of the Corporaçon of New Castle in Delaware River, Haveing conceived a good Opinion of y^e fittness and Capacity of the said Peter Alricks to officiate in that Employ^{nt}, I have therefore nominated & appointed, & by these Presents doe hereby Nominate & Appoint him the said Peter Alricks to bee Bayliff, & Principall Civill Magistrate at New Castle aforesaid for the yeare ensueing, of the which all Persons concerned are to take Cognizance, and to give him that respect and Obedience as is due to his Office & Charge; And the said Peter Alricks is in all things & matters relating to his Employment to bee Regulated by

1672
Aug. 2

G. E.
4:179
(NYSL)

1672
Aug. 2

y^e Lawes of this Govern^t, and such Instructions as already have been given by mee and my Councell for y^e Ordering of Affayres in that Corporation, or such other Ord^{rs} and Directions, as from time to time hee shall receive from mee. Given under my Hand and Seale at Forte James in New Yorke this 2^d day of August in y^e 24th yeare of his Mā^{ties} Reigne, Annoq̄ Dñi 1672.

[Francis Lovelace.]

G. E.
4:188
(NYSL)

1672
Aug. 12

To Philip Calvert Esq^r Governo^r of
Mary-Land. August 12th 1672.

S^r

I thought it had been impossible in these portending boysterous times, wherein all true hearted Englishmen are buckling on their Armo^r to vindicate their Hono^{rs} & to assert y^e imperiall Interests of his Sacred Mā^{ties} Rights & Dominions, that now (without any just ground either given or p^rtended) such horrid Outrages should bee committed on his Mā^{ties} Leige [*sic*] Subjects, under y^e protection of his Royall Highness Authority, as was exerciz'd by one Jones, who wth a Party as dissolute as himselfe took y^e paines to ride to y^e Whore-Kill, where in Derision and Contempt of the Dukes Authority bound y^e Magistrates, and Inhabitants, despitefully treated them, rifled, & plunder'd them of their Goods; & when it was demanded by what Authority hee Acted, answerd in noe other Language but a Cockt Pistoll to his Breast, w^{ch} if it had spoke, had forever silenc'd him. I doe not remember I have heard of a greater Outrage & Riott co^mmitted on his Mā^{ties} Subjects in America, but once before in Maryland. S^r you cannot but imagine his Royall Highness will not bee satisfied wth these violent Proceedings, in w^{ch} y^e Indignity rebounds on him; Neither can you but believe, It is as easy an Vndertaking for mee to retaliate

the same Affront on Jones his Head & Accomplices as hee did to those indefencible Inhabitants; But I rather chuse to have first a more calme Redress from you, (to whom I now appeale) & from whom may in Justice expect that Right in y^e Castigation of Jones *cum Socijs*, that yo^r Nature & the Law has provided for; Otherwise I must apply myselfe to such other Remedyes as the Exigence of this Indignity shall perswade mee to. Thus leaving it to your Consideraçon, I still remaine

G. E.
4: 188
(NYSL)

1672
Aug. 12

Yo^r very humble Servant

Fr: Louelace.

Forte James in New Yorke

y^e 12th day Aug: 1672.

[Carr to Lovelace. Whorekill and Maryland.]

S^r

Col. MSS.
20: 37
(NYSL)

According to your Hon^{rs} order we sent thos[e] papers to the Horekill by M^r Wharton where they found noe reception, I need not giue your Hon^r the reasons, for your Hon^r will find them in the papers inclosed taken by M^r Wharton, the number of men and horse that came to the Horekill was but thirty, but they were sixty halfe way, where meeting M^r Parrott going to Acamake and soe to Virginia and vnderstanding by him there was noe other forces from your Hon^r but the Inhabitants of the Horekill thirty Horse was sent back to Maryland this M^r Parrott is a gentleman seated near the Horekill by your Hon^{rs} Patant, the Horekill boat is come heere with fower of the Inhabitants and desiars to take a tract of land vp the River neare your Hon^{rs} Land, they say before they came from thence Harmanus and Sanders was returned from S^t Maries, who brings newes that in Maryland they are Leviing a Considerable force to bring this place and soe fare vp the River to the degree fforty

1672
Sept. 27

Col. MSS. northerly vnder theyr obedience, we shall know more when
 20: 37
 (NYSL) Cantwell returns with Answer of your Hon^{rs} Letter, which
 I shall dispatch to your Hon^r with all expedition, I haue not
 1672
 Sept. 27 else but waite your Hon^{rs} Comaunds, and Subscribe my
 sealf as in duty bound S^r

Your Hon^{rs} most ffaithfull and obedient servant

John Carr

[Ne]w Castle 27th

[Se]pt. 1672.

Addressed:

Thesse

ffor Generall ffrancis

Louelace

Hast post Hast

New yorke.

John Carr

G. E.
 4: 211
 (NYSL)

[Lovelace to Carr. Whorekill and Maryland.]

Lett^r to Cap^t Carr.

Cap^t Carr

1672
 Oct. 7

The Lett^{rs} you send by the Express over Land came safe to my hands wth the enclosed Relaçon & Papers concerning the Whore Kill, & the Marylanders forcible possessing themselves of the Place, as also of the Goods & Estates of some of the Inhabitants, of w^{ch} wee had some Rumor^{rs} before, but did not give much Credit to it, supposing what was done before to bee the rash Action of some private Person, not thinking the Authority of Maryland would invade his Royall Highness Territoryes w^{ch} hee hath been possest of for near 8 yeares wthout giving the least Overture of it to mee, who am here his Royall Highness his Deputy. Their former violent Action & fforce upon those poore unarmed

People, together wth the particulars of their Plunder, I had immediate Opportunity of transmitting to his Royall Highness by a Ship then bound away for London, the w^{ch} I made use of, & recommended their Case, & I hope it hath long ere this arrived his Hands, soe that some Directions about it may bee expected in a short time, till when I think it best for the present to leave matt^{rs} there as they are; But as to the Cloud w^{ch} likewise hangs over yo^r heads at Delaware, w^{ch} its said they are making Preparaçons to invade, My Instructions & Orders to you & the Officers in Geñ^{all} are, that you putt yo^r selves into the best posture of Defence possible you can, by fitting up the ffort in the Towne, keeping yo^r Companyes in Arms both there & up the River, who are to provide themselves wth fitting Ammuniçon, & that all Souldyers bee at an houres Warning upon any Alarum or Ord^{rs} given; That in the Towne especially you make yo^r Guard as strong as you can, & keep a strict Watch; And if any Enemy comes to demand y^e Place, That you first desire to know their Authority & Commission, & how it comes to pass those of Maryland should now make such an Invasion, after soe long quiet possession of those parts by his Royall Highness his Deputyes under his Mā^{ties} Obedience, & by other Nations before that, severall yeares before the Date of the Lord Baltimores Patent, whom they never disturbd by Armes, & whose right is now devolv'd upon the Duke. Stand well upon your Guard & doe not beginn wth them, but if they first break the peace by firing upon yo^r Guards or any such hostile Action, then use all possible means to defend yo^r Selves and the Place, & command all his Mā^{ties} good Subjects to bee ayding & assisting to you, who I hope will not bee wanting to their Abilites; In all Matters of Concerne you are to take Advice of the chiefe Officers there, This will come to you by yo^r Bayliff M^r Peter Alricks, who

G. E.
4:211
(NYSL)1672
Oct. 7

G. E.
4:211
(NYSL)

1672
Oct. 7

is hastening over Land to secure his Affayres there in this portending Invasion, & to give his best help for y^e Safeguard of the Place, & his Royall Highness his Interest. Vpon all Occasions faile not to send an Express to mee, by whom I shall give you such farther Directions & Assistance as will bee requisite; & if occasion shall bee will come over my selfe in Person though the Spring would bee more suitable for mee then a Winter Voyage. Soe recommending all things to your Care & Vigilance, of w^{ch} I expect a good Acco^t I Conclude being.

Yo^r very Loving Friend
Fr: Louelace.

Forte James in N: Yorke
this 7th day of Octob^r
1672.

Col. MSS.
(NYSL)
20:38

[Captain Edmond Cantwell to Lovelace. Whorekill Matters and Maryland.]

N Castle y^e 10 of December 1672

1672
Dec. 10

Right honra^{ble} S^r

yo^r hono^r writts m^r alrichs of my not wri[ting] to yo^r hono^r I had writt to Cap^t nicolls att Large of what I heard and saw att m[ary] Land I thought Cap^t nicolls would haue Informed yo^r hono^r of all I heard so much that my lorde thus intend for to keepe y^e whore kill I saw Jones power to seas¹ all Indyan goods or skins att y^e whore kill and one Smith y^e Juge of y^e Co^{rt} att y^e whore kill tould me that my lorde baltemore gaue him order for to driue a 20^d naill in y^e touch hole of y^e great gon and seas y^e gone and mill stones att y^e whore kill his Co^mission was soe Large as yo^r hono^r Can Imagen when I Came to s^t marys Jones

¹ The meaning is: "I saw Jones's power to seize," etc.

at they will not. I left 48 hours before
without anything to fear, & ca. what my brother

D. me

I sailed with some a boat & set fire
in up of River & got him for 1000, for
with that & well, he has a boarder for
he went to you house what he has not
I that that's fine for to find in of
they are Dick will. I don't not own
of River if it has not been for you
at. I don't want to order & what is left
ing away and I shall send and
and 48 hours and I will put to rest.

To Edward

E. Cantwell

SECOND PAGE OF CAPTAIN EDMOND CANTWELL'S
LETTER TO GOVERNOR LOVELAKE.

(Reduced from 6½ by 8 inches.)

went to y^e gouern^r and he writt upon y^e back side of his
Comission that he would mantane his Comission I tould
them that itt was a folly for them for to striue aganst yo^r
hono^{rs} power and tould them If yo^r hono^r gaue but order
for to beat a drom all y^e seruans would Com away from them
y^e most part o[f] y^e people thus fear that theire seruan[ts]
will run away from them all y^e people w[ill] be glade
submitt them selues onder yo^r hono^r Gouverment and they
plaenly say that they will not Resist yo^r hono^{rs} power nor
will haue noting to doe wth what my lorde has done

Col. MSS.
(NYSL)
20:38

1672
Dec. 10

Cap^t nicolls writts to me about derick smith goin up y^e
Riuer I gott him for to goe for y^e quit Rent y^e w^{ch} he has
aboarde for to be sent to yo^r hono^r what he has not in I
shall thake Care for to send in y^e spring nor derick smith
should not goe up y^e Riuer If itt had not bene for y^e quit
Rent w^{thout} yo^r hono^{rs} order y^e vessell is just going away
and I shall end and Remane

Yo^r hono^{rs}

most faithfull seruant

To Co^mmand

Ed: Cantwell

Addressed:

ffor y^e Right honra^{ble}
Cott ffrancis Louelace Esq^r
Gouerno^r off all his
Royall highnesse Terotories
In Amerikae att
new yorke
psent

Endorsed:

Delaware from Cap
Cantwell of the 10th
of December 1672

No. LXXI.

LONG ISLAND — COMMISSIONERS FOR INDIAN
AFFAIRS.Deeds
2:49
(Sec. State)

A Commission graunted unto Captaine Thomas Topping, M^r William Wells and others, to heare and determine differences betweene Christians and Indyans.

1666
July 11

Whereas severall Complaints have been made unto mee, of divers Trespasses and abuses done, and rec^d both by English men and Indyans, living at the East end of Long Island, for w^{ch} there is no Remedy in the Ordinary Course of Law, but at y^e Courts of Sessions or Assizes, w^{ch} may in some regard bee too long a time, before reparaçon can bee made, or Satisfaction given for the same; These are to Authorize and appoint you, Cap^t Thomas Topping, one of the Councell to y^e Government under his Royall Highnesse the Duke of Yorke, M^r William Wells high Sheriffe of Yorksh upon Long Island, M^r John Mulford, one of y^e Justices of the Peace, M^r John Howell, and M^r Thomas Baker to bee Commission^{rs} for the well Manageing of all Affaires betweene the English and Indyans, And you, or any three of yo^u, have hereby Power and Authority, as occasion shall require, meet and enquire into, as also to heare and determine any matt^{rs} in difference betweene the English and Indyans, touching Trespasses¹ or Damages, done by one to the other, and to Order Satisfaction and Reparaçon, as yo^u shall finde Cause; You are also to take care that the Agreement made heretofore before mee, betweene the Townes of

¹ Inadvertently written "Trespaspases" in the original record.

Easthampton and Southton, and the Indyans bee duly performed & observed; You are likewise Empowred to Summon any Person or Persons offending, by Warrant to appeare before yo^u, w^{ch} if they shall refuse to Obey, you may impose a ffine or ffines on such Persons for their default, And all Civill and Military Offic^{rs}, are to bee aiding and Assisting unto yo^u, according to y^e Teno^r of such Warrants, as they shall receive under any three of yo^r hands, And lastly, You are hereby Authorized to make such Orders and Constitutions, as you shall finde necessary and expedient for the better regulating all matters and Affaires betweene the English and Indyans of yo^r parts aforesaid, of w^{ch} yo^u are to give one Copy to y^e Indyans, and remitt another to mee for Confirmaçon; And for what yo^u shall do in the prosecution of this Commission, this shall bee unto yo^u and every of yo^u, a Sufficient Warrant; Given under my hand and Seale, at ffort James in New Yorke, the 11th day of July 1666.

Deeds
2:49
(Sec. State)
1666
July 11

Rich^d Nicolls.

Łre from y^e Governo^r to y^e Co^m^{rs} for y^e Indyan
Affayres at y^e East end of Long-Island.

G. E.
4: 119
(NYSL)

Gen^l.

I take hold of this Opportunity by y^e hands of M^r Delavall to acquaint you of severall Complaints that have been p^rferr'd to mee concerning yo^r Administraçon of Justice in relation to y^e Indyan Affayres many seem to groan under yo^r heavy Hand, believing the Intention of that Commission you were invested wth will not extend to y^e Determinaçon of severall Causes w^{ch} naturally appertaine to y^e Sessions. When that Commission was graunted to you by my Predecesso^r, (& since allowed of by mee) it was in y^e infancy of time, before the Whal[e]fishing was in Practice, & then lookt

1672
Apr. 20

G. E.
4: 119
(NYSL)

1672
Apr. 20

on as an Expedient to keep y^e Indyans in some Order & Decorum. But Multiplicity of Affayres dayly intervening, by vertue of yo^r Commission you seem to extrude Causes properly determinable at y^e Sessions, by w^{ch} means y^e Inhabitants will believe themselves debarred from y^e Ordinary Establisht way of Administraçon of Justice towards them. You have now Justices of y^e Peace sufficient to sitt in the Courts; And therefore if Matt^{rs} were determined in those Co^{ts} of Sessions I believe it would give a generall satisfaction to y^e whole Countrey; but in regard I am soe great a Stranger to this new Affayre, I shall determine Nothing at this time positively, desireing I may Discourse it wth you at Seatacott, where I will bee (by y^e help of God) on y^e 8th day of May. I cannot but take Notice that notwithstanding I sent Ord^{rs} by Cap^t Manning that you should forbear to ffine & Levy them till my farther Ord^{rs} were signified, you notwithstanding proceeded therein; whereby you either believ'd Cap^t. Mannings Writeing not to bee my Sence, or if mine of noe Validity. I have noe more at p^rsent, but commit you to y^e protection of y^e Allmighty, & rest

Yo^r Loving Friend

Fran: Louelace

Forte James y^e
20th of Aprill
1672.

G. E.
4: 121
(NYSL)

1672
Apr. 20

Łre from y^e Governo^r to Cap^t De-Lavall at
his goeing to y^e East end of Long-Island.
Aprill y^e 20th 1672.

Mr Delavall.

Yo^r Occasions calling you to y^e East end of Long Island, where probably you may meet wth or heare of some differences between Persons, relating to y^e Government, or the

Administraçõn of Justice, I doe recommend it to you to
make such Enquiry thereinto as in yo^r prudence you shall
finde requisite, & that with the other Matt^{rs} concerning
Cap^t Topping & the Comn^{rs} for y^e Indyan Affayres you
give mee an Acco^t at our Meeting at Seatalcott on y^e 8th
day of May next; Soe I heartily wish you a good Voyage
being

I am

Yo^r affe^{ate} Friend.

Fr: Louelace.

New Yorke Apr:

y^e 20th 1672.

G. E.
4:121
(NYSL)

1672
Apr. 20

No. LXXII.

OYSTER BAY — REGULATION OF WHALING.

An Ord^r of Councell about y^e 3
Whales cast adrift at Oyster Bay.

G. E.
4:135
(NYSL)

At a Councell held at Forte James in
New-Yorke y^e 17th of May 1672.

Whereas it was rep^rsented unto his Hono^r y^e Governo^r
that a certaine difference had arisen between Jn^o ffinch of
Huntington & severall persons of Oyster-Bay concerned in
the Whale-fishing Designe, touching three Drift Whales cast
upon the Beach & cutt up & tryed by those of Oyster-Bay,
wherein his Royall Highness was concerned as to his partic-
ular Dues out of the Oyle of the said Whales; All w^{ch} was
referred by y^e Governo^r to Thomas Delavall Esq^r one of
y^e Councell to Examine & Endeavour a faire Composure
betweene y^e Parties, securing the Dukes Interest; Hee

1672
May 17

G. E.
4: 135
(NYSL)

1672
May 17

haveing an Ord^r in the meane time to receive the Oyle, & bee accomptable for y^e same when the Controversy should bee decided, to whom of Right it did belong; And the said Thomas Delavall haveing Declared that to prevent farther Contest, hee had made a faire Agreem^t between them or most of them concerned; That is to say, That Jn^o ffinch should have for his Share or Propor^{con} ffifteen Barrells of Oyle upon Acco^t of his Interest in y^e Beach where the Whales were cast up, out of w^{ch} hee is to pay his Royall Highness his Dues, & two Barrells more to beare the Necessary Charges had hereupon; And that y^e Remainder should bee unto them of Oyster-Bay that cutt up & tryed the Oyle of the said Whales for their Charge & paines therein, together with y^e Cost of the Barrells, & Transporta^{con}; Vpon Considera^{con} had hereof, the Governo^r & Councell have thought fitt to allow, & doe very well approve of what y^e said Thomas Delavall hath done herein, And doe order that the Agreement aforementioned doe stand good & bee observed accordingly.

By Ord^r &c:

No. LXXIII.

DELAWARE — EXPEDITION OF GOVERNOR
LOVELACE FOR SETTLEMENT OF
AFFAIRS THERE.

G. E.
4: 110
(NYSL)

1671/2
Mar. 8

An Ord^r for Cap^t Nicolls to summon a Part of his Troop to attend y^e Governo^r to Delaware.

Whereas there is an Occasion of my goeing in Person to Delaware over Land as well as conclude a Peace amongst

the mutinous Indyans in those Parts, as to settle Affayres in that River under his Mā^{ties} Obedience, for y^e w^{ch} both for the Reputaçon of his Royall Highness, whose Person I rep^rsent here as his Governo^r, & safety of my selfe & Retinue, It will bee requisite, That I have a Party of Horse out of y^e Troope risen in the North & West Rideings of Long-Island, & likewise out of this City of w^{ch} you are Command^r; These are to Authorize & require you, That you forthwth send Orders to the Offic^{rs} or others of your Troope as you shall finde convenient to Summon soe many Persons in each Towne that are enlisted in yo^r Troope (besides Offic^{rs}) as will make up y^e Number of Twenty to bee ready with their Horses & Armes, & that they give their Attendance at y^e certaine dayes & times p^rfixt, of which you are to give them notice; And that noe Person to y^e said Troope belonging shall thinke himselfe burthen'd or exempt from this Duty, those that stay behinde shall be obliged to beare their Equall Share & part of y^e Trouble & Charge their ffellow Souldyers shall bee putt to that goe; But whosoever being appointed & adjudged fitt to goe by his Offic^r & shall refuse to doe his Duty therein, Hee shall pay as a ffine y^e Summe of five pounds, the one halfe to bee paid to y^e Person who shall bee chosen & goe in his Place, & the other for y^e use & Benefitt of the Troope. Given under my hand this 8th day of March 1671.

G. E.
4:110
(NYSL)

1671/2
Mar. 8

Fr: Louelace.

To Cap^t Matthias Nicolls to be
Communicated to y^e rest of
y^e Commission Offic^{rs} of the
Troope of Horse, on y^e North
West parts of Long Island.

G. E.
4:111
(NYSL)

The Ord^{rs} sent by Cap^t Nicolls to y^e Offic^{rs} in
persuance of y^e Governo^{rs} Warrant above-written.

1671/2
Mar. 9

Whereas I have receiv'd a Warr^t from his Hono^r y^e Gov-
erno^r strictly commanding mee to send forth Ord^{rs} to y^e
Offic^{rs} or others of my Troope as I should finde convenient
to Summon soe many Persons lysted in each Towne belonging
thereunto (besides Offic^{rs}) to make up y^e number of Twenty
to attend y^e Governo^r over Land to Delaware. You are
hereby ordered & required forthwth to Sumon [*blank*] in y^e
Townes of Hempstead, Oyster-Bay, & Leusam (a^{ls} Robert
Williams his ffarmes) to prepare themselves & bee in a
readyness wth their Horses & Armes; And that you together
wth them bee at y^e fferry on Tuesday y^e 19th day of this
instant Month, where Boates will be ready for their Trans-
porta^{con} to y^e Nevisanz at the Geñ^{rl} Rendezvous, w^{ch} is
appointed to bee upon y^e 22th day being ffriday following;
And whosoever shall bee by you pitcht upon & doe refuse
to obey yo^r Commands, they will bee lyable to pay y^e ffine
in y^e Governo^{rs} Warrant exprest, whereof you have herewth
a Coppy. Of y^e due Observance of these Ord^{rs} You are not
to fayle at your Perill. Given under my hand at New Yorke
this 9th day of March 1671.

[Matthias Nicolls.]

To Corp^{rl} Joseph Smyth
at Hempstead these.

The like was sent to Corp^{rl} W^m Chatterton of fflushing
for y^e Townes of fflushing & Jamaica, or who y^e Lievtenant
& Cornett should appoint.

The like also to Corp^{rl} Jn^o Garland for y^e Townes of
Breucklyn, flatt-Bush, flatt-Lands, Gravesend, & New
Vtrecht.

Another Warr^t from Cap^t Nicolls
about this Affayre.

G. E.
4:112
(NYSL)

You are hereby ordered in Prosecu^çon of y^e Result of the Governo^r & Councell, & y^e Governo^{rs} Speciall Warrant directed to mee, of which you have Coppys, that out of y^e Number that are to attend y^e Governo^r over Land to Delaware, you pitch upon three persons to goe wth Corp^r^l John Garland, who is appointed to lead the way, & make prepara^çon for y^e Governo^r & his Retinue, the time of his setting forth is to bee on the 12th or 13th day of this instant Month at farthest, & whosoever being summoned & thought fitt to goe with him, & shall refuse, will bee lyable to pay y^e ffine in y^e Governo^{rs} Warr^t sett forth. Hereof you are not to fayle. Given under my Hand this 9th day of March 1671.
Matthias Nicolls.

1671/2
Mar. 9

To Quart^r Mast^r Thom:
Wandall & Corp^r^l Jn^o
Garland.

Memorand^m That y^e Quarter Mast^r is ordered to summon those of Newtowne that are to goe with y^e Governo^r as well as those that are to goe with Corp^r^l Garland.

Instructions for M^r Garland about
makeing prepara^çons for his
Hono^{rs} Voyage to Delaware

G. E.
4:114
(NYSL)

M^r Garland

You are to goe wth that Party of Horse yo^r Cap^{tn} hath allotted you to Nevesincks, & from thence as speedily as you can (with a Guide) to march to y^e House of M^r Jegoe, right against Matinicock Island in Delaware River, where there are some Persons appointed ready to receive you.

1671/2
Mar. 12

Being arriv'd at y^e River side as afores^d you are to goe

G. E.
4: 114
(NYSL)

1671/2
Mar. 12

to Wickako, or where you shall bee directed that Cap^t Carr & Commissaryes are, to whom you are to deliver yo^r Letter; & then to follow their farther Instructions.

You are to see that all conveniencies for mee, & Party bee made ready for our Accomodaçon, as Provisions, Boats &c: & likewise a Considerable Guard of Men at Matinicock Island.

After all these things are thus in Ord^r you are then to meet mee wth yo^r Party, & such other Volunteers as are dispos'd to accompany you; & meet mee one dayes Journey, w^{ch} is at y^e great Indyan Plantaçon, where I intend to lodge that night, & purpose by Gods help to bee there on y^e 24th day of this instant month March (& perhaps on y^e 23^d) When wee are there at y^e Geñ^{rl} Rendezvous I shall sett things into further Order.

You are to treat y^e Indyans & others wth all Civility, and to contrive it soe that y^e Susconck Indyans may bee there when I passe by.

You are to assure all y^e Indyans that y^e Intention of my Comeing amongst them is out of Love & ffriendship to them; Thus haveing noe more to Entrust you withall, I leave it to yo^r prudent Managery, & yo^r selfe to the Protection of the Allmighty.

Fran: Louelace

Forte James y^e 12th
of March 1671.

G. E.
4: 118
(NYSL)

1671/2
Mar. 18

Instructions from y^e Governo^r to M^r Delavall
& M^r Steenwijck at his goeing for Dela-
ware; March y^e 18th 167 $\frac{1}{2}$.

The Affayres of these his Roy^{ll} Highness Territoryes being (God bee praysed) in that tranquillity, & Calme Condition, soe that there is nothing of any new thing w^{ch} might require a particular Instruction, yett in regard some Accidents may

soe fall out as may require yo^r. wonted vigilance; Cares, and Judgm^{ts} to manage, towards y^e publiq^z peace & welfare of these his R. H^s Territoryes, & Authority, therefore what I shall now reco^mend to you will bee but in Geⁿ^{rl}, leaving Contingencyes, & new Accidents still to yo^r prudent Managery, assuring you wthall to justify & stand by you, in any lawfull Determina^{co}ns you shall conclude & Act in, being well assured of yo^r prudence, modera^{co}n & Justice, that y^e safety of these his R. H^s Interest will bee yo^r chiefest Care, & y^e Determina^{co}n of Civill Interest & Propriety of all that are under y^e Protection of my Ro^y^{ll} Master, yo^r^s next, as depending on y^e former. You are not unacquainted wth y^e Designe of this my Resolu^{co}n of visiting those more remote parts of his R. H^s Territoryes at Delaware, where I hope soe to settle all public Affayres there as may free mee from the farther Expence and Trouble of a suddaine Revisitt of them, I will make all y^e Dispatch I possibly can, hoping to finde you at my returne in y^e same quiet Estate I left you, and soe God take you into his Protection, and send us a happy Meeting againe.

G. E.
4:118
(NYSL)

1671/2
Mar. 18

Yo^r very much affe^{ct}^{ate} friend

Fran: Louelace.

To Thomas Delaval &
Cornelijs Steenwijck Esq^{rs}
2 of my Councell to his
Royall Highness y^e Duke
of Yorke in these his Ter-
ritoryes of America.

The Governo^{rs} Ord^r to M^r Bedloo to pay the
Boat-men about y^e Delaware Expedi^{co}n.

G. E.
4:200
(NYSL)

M^r Bedloo.

There being Moneys due unto y^e Persons here under
men^{co}ned for their Boat hire, & carrying & bringing back

[1672]
Sept.]

G. E.
4:200
(NYSL)

[1672
Sept.]

the Troopers Horses to and from the Nevesincks in the Expedition to Delaware, upon w^{ch} Acco^t you have already by my Order disburst some Moneys, You are hereby ordered to make them the best Satisfaction you can by Discounting wth or giving them Creditt for soe much as by their Bills allowed appeares due, and that you make y^e Delaware Voyage Debto^r for the same, but that you take care to part wth as little Goods in this time of Exigency as possibly you cann.

The Boat-mens Names to whom Money is due.

Stoffell in the Smiths Valley.

Nicholas the Baker

Francis Leigh.

Dirck y^e Wool-Spinner.

Ned Shakleton & } that went wth Governo^r Carteretts
W^m Welch. . . } Boate are already paid.

[Francis Lovelace.]

No. LXXIV.

NAVIGATION LAWS AND TRANSATLANTIC
SHIPPING.

(NYSL)

[Charles II — Orders for Transatlantic Shipping.]

Charles R¹

1671/2
Mar. 10

Trusty and well beloved Wee Greet you well. Haveing taken into our Consideration the Ill that have times hereto-

¹ The file copy of this document is lacking in the archives of New York, hence this text is presented from a Massachusetts copy, now in the New York State Library.

fore befallne the Shipps of our good Subjects in their returnes (NYSL)
from our Plantations in the West Indies cheifly through
their cominge from the Said Plantations Scatteringe, and at
uncertaine times whereby they have come Vpon the Coasts
of England, or Ireland, at Seasons when they have found
none of our Shipps of Warr there, whereas if there were
certaine Prefixed, and Observed for their returne, care might
be taken to Secure the Coast at the Season of their arrivall
by Some Shipps Extraordinary to be imployed for this
Purpose, Wee have therefore thought fitt out of the Princely
Care of the good of our People to appoint certain Seasons
in the yeare, at which only Shipps be permitted to Returne
from Boston and other Ports, to England, or Ireland, Vnless
Such Shall be imployed for our Emediat Service, Either as
men of Warr or for carryinge Packitts or the licke Extra-
ordinary Occasions, which Seasons Wee have thought fitt
to be the 24th of March, the 24th of June and 24th of Septem-
ber, and Our Will and Pleasure is that you take Care that
all Such as Shall be Redy to Sayle at any of the said times,
doe enter Bond before you to use their Vtmost Endeavours
to keepe Company, and defend each other dureinge their
Voyage homewards, and for the better doinge thereof you
are to appoint one of the Comaunders of the Said Shipps to
be Admirall of the fleete, whome the others are to Observe
and follow, that Soe in case they be attempted in their
Voyage they may be in the better Condition to defend
them selves, And if any Shall be dissobedient to these our
Commands, You are to Compell them to the Observeance
thereof, and punish them in such manner as may deterr
others by their Example, you are further to direct them
when they shall be neer the Coast of England, if they Shall
not have Mett with Some of our Shipps of Warr in the
Soundings, by which they Shall have vnderstood the Estate

1671/2
Mar. 10

(NYSL) of affaires with our Neighbours, and be from thence incur-
 1671/2 raged to proceed to their Respective Ports, that they indeavor
 Mar. 10 to touch at the first Port of England, there to Receive further
 information for their guidance, in which Wee Expect your
 best Care, and Circumspection, and for the Preventinge
 any Surprize that might otherwise befall our Plantaçons
 in those Parts, or the Shipps tradinge theither whilst they
 are in Port vpon any Suddain change of affaires here in
 Europe, Wee have thought good thus early to warne you
 of it, Willinge and Requireinge you to Neglect Noe time to
 Consider of the Securety of that Place, in all Respects, and
 timely to make Provision as well for its Safety and defence,
 as for the Protection of the Shipping, that Shall be there,
 upon any Emergency that may happen, the pertickulars of
 which wee leave to your owne discession, to be prosecuted
 with Care and dilligence in that order that Shall appeare
 most Necessary to you upon the Place, and for Soe doeing
 these our Letters Shall be Your Suffitient Warrant, Given
 at our Court at White Hall the 10th day of March 167½

By His Maj^{ties} Comand.

Ahlington¹

To our Trusty and well beloved
 Ovr Govo^r & Council off our
 Collony of the Massachusetts
 in New England To
 be Coñmunicated to the Rest of
 our Collonys there

Endorsed:

Copie of his magisties
 Letter dated y^e 10th of
 March 167½ about y^e
 Dutch warr &c

¹ Arlington.

Certificate from y^e Governo^r on y^e Behalfe of G. E.
Cap^t Haslewood, touching his Stay in this 4^o 14^o
Porte. (NYSL)

These are to Certify all whom it may concerne that Cap^{tn} Clayborne Haslewood Command^r of y^e Ship the Justice of London hath been by my Order stopt from proceeding in his Voyage for Europe, from y^e 24th day of May last, when his Ma^{ties} Letter came to my Hand unto this present day that hee hath received his M^{ties} Packett, & other Dispatches for England. Given &c: this 7th day of June 1672. ¹⁶⁷²
June 7

[Francis Lovelace.]

An Ord^r to Cap^t Haslewood at his departure.

These are to require you that if it shall soe happen, in yo^r Voyage homewards that you meet wth any Merch^{ts} Shipp of fforce, or English Man of Warr bound for England, that you keep them Company & acquaint them, It hath been his Ma^{ties} Command & Pleasure, That all Ships bound the same way should keep Company together for their Mutuall Safety against an Enemy, and that before you come into the Channell or the Lands end of England, there are Convoyes appointed, w^{ch} will bee ready to conduct you safe to your Porte; Soe God send you a good Voyage. Given under my hand at fforte James in New Yorke this 7th day of June 1672.

[Francis Lovelace.]

To Cap^t Clayborne Haslewood
Co^mander of y^e Ship y^e Justice
of London.

G. E.
4: 146
(NYSL)

An Order about Sayling.

1672
June 27

Whereas his sacred Mā^{tie} out of his Princely Care & regard to y^e welfare & safety of y^e Ships belonging to his Subjects tradeing in America or elsewhere, to y^e end by y^e suddaine Revoluçons that are now likely to happen in Europe they may not bee surpriz'd & taken by y^e Enemyes to y^e Crowne of England in their Returnes homeward, hath been graciously pleas'd to prefix certaine Seasons in w^{ch} they shall quitt their Portes in America only, that is to say, on y^e 24th of March, 24th of June, & y^e 24th of September, that soe in the Soundings & y^e Mouth of y^e Channell hee will have certaine Convoyes to conduct such as are bound up y^e Channell to their respective Portes; To the end therefore, these his Mā^{tyes} Commaunds & Directions may bee punctually observ'd, These are to give Notice to all Masters of Vessells whatever; That they truly & punctually observe those Seasons specified by his Mā^{tyes}, unless on some extraordinary Immergencyes about w^{ch} they shall bee expressly sent on y^e Publick Service, by Governo^{rs} who have Lycence to employ them by Authorizing them wth their respective Passes for the same. Care is likewise to bee taken by all Masters under his Mā^{tyes} Subjection (by giveing in Bond) That is on their way they meet wth any Vessells belonging to his Ma^{tye} or his Allyes that they endeavour to keep Company & Consortship together, that soe they may bee in y^e better Condition to oppose an Enemy & defend each other; That therefore these his Mā^{tyes} most gracious Commaunds & Directions may bee more punctually observ'd, I have thought good to make a Publique Notificaçon of them, & to affix them in y^e Custome-House, to the end any concern'd may not pretend Ignorance.

Given under my Hand y^e 27th day of June, in y^e 24th yeare
of his Ma^t^{ies} most happy Reigne, Annoꝝ Domini 1672.

[Francis Lovelace.]

G. E.
4:146
(NYSL)

1672
June 27

No. LXXV.

NEW YORK CITY — REPAIR OF FORT JAMES
AND WAR RUMORS.

Łre. from y^e Governo^r to Cap^t Young & the
rest of y^e Commission^{rs} at y^e East end of
Long Island, about sending Assistance to
fortify &c:

G. E.
4:139
(NYSL)

Gen^l.

Haveing lately receiv'd a Lett^r from his M^a^{tie} by the way
of Boston, wherein hee precautions us (by reason of y^e
Troubles w^{ch} are like to arise in Europe to prepare, & putt
our Selves into y^e best posture of Defence wee are capable
of; I thought good therefore to acquaint you wth it, that
soe at y^e Sessions you might consider wth y^e Countrey what
will bee most necessary to bee practiz'd in order to yo^r
Security; The Determina^{cion} I should bee gladd to receive
by y^e Returne of the High-Sheriff, that soe I might y^e better
bee able to assist you by my power.

1672
May 30

I am likewise to acquaint you of y^e necessary Resolutions
I have of repayingr the Walls of this fforte, wth some stronger
ffortifications then heretofore it was, & being altogether
uncapable to performe such a worke by my Public Stock
here, I have thought good to recommend our Condition to

G. E.
4: 139
(NYSL)

1672
May 30

yo^{rs} & y^e Countrey's Considera^çon, to contrive & send such an Assistance as may (in some sort) bee helpfull to mee in that Vndertaking. You well know I have been very tender to press this Point to you; It being now the first I have desired of you in that kinde. Thus not doubting of yo^r chearfull Concurrence wth mee in a Work w^{ch} soe nearly concerns y^e publick Safety, I take my Leave of you, & bidd you heartily Fare-well.

Yo^r assured Friend to serve you

Fr: Lovelace.

Forte James y^e
30th May. 1672.

G. E.
4: 149
(NYSL)

Gent.

[Lovelace to John Archer.]

1672
June 28

His Ma^{ties} Commaunds, together wth a strong necessity to putt o^r selves into such a posture of Defence, as may make us capable both to defend o^r selves, & offend any publick Enemy to his M^a^{tie}, his R: H^s has constreyned mee to have a recourse to yo^u, fo^r assistance in repaying of y^e fforte at N: Yorke; & haveing reco^mended y^e necessity to all the Inhabit^{ts} under his R. H^s Territoryes, who have soe sensibly receiv'd these my Desires that unanimously they have made a voluntary Contribu^çon to carry on y^e Worke, & have afforded mee wth a frank Supply; Now considering you are as yett but a tender Plant, soe that in Modesty I cannot expect soe large a Contribu^çon from you, as from others, that are rooted to a better Thriveing then you are yet since yo^u are esteemed a Member of y^e whole Body, It will bee necessary that likewise you shew yo^r forwardness to soe good & generall a Worke; assuring you that your Widdowes Mite shall bee accepted, & when ever it shall please God to enable mee, I shall in some

Measure recompence yo^u In y^e mean time I desire yo^u
will believe mee to bee

G. E.
4: 149
(NYSL)

Yo^r Loving Friend

Forte James y^e

Fr: Louelace.

1672
June 28

28th June.

1672.

To M^r Jn^o Archer, to bee

communicated to his Neighbo^{rs}

& y^e rest of y^e Inhabitants in y^e

Manno^r of ffordham.

Lett^r from y^e Governo^r to y^e Mayo^r &
Aldermen about a Contribu^{cion} from
this City, to repaying y^e Forte.

G. E.
4: 156
(NYSL)

M^r Mayo^r and you y^e rest of y^e Aldermen.

His Ma^{ties} Paternall Advice & Princely Commaunds
being transmitted to mee, wherein hee admonisheth us by
y^e great Resolutions w^{ch} are now likely to happen in Europe,
to putt our selves into such a posture of Defence as may best
secure his Ma^{ties} Interest, his Royall Highness Title &
Authority in these his Dominions, & our own particular Lives
& Proprieties from y^e usurpa^{cion} of any others that might
appeare y^e Disturbers or Invaders on y^e just Rights of either,
and findeing that by a long Tract of peace and Tranquility
of time y^e fforte of New Yorke requires not only a Repara^{cion}
but in some measure a new Re-edification; To y^e Accom-
plishmen^t of which (it being totally out of my slender Ability
to perfect) I have been constrayn'd to have Recourse to all
Loyall & well disposed Persons wthin these his R: H^s Ter-
ritories for their voluntary Contribu^{cions}, to assist mee in y^e
carrying on that worke, w^{ch} otherwise would bee impossible
for mee to accomplish; And Gentlemen I will assure you

1672
July 3

G. E.
4:156
(NYSL)

1672
July 3

(y^e Returnes being transmitted to mee from their respective Townes) there appeared soe great a Chearfullness in y^e Generality & soe franck a Contribution in some particular, as farr exceeded my Expectaçon, & perhaps some of their Abilities. There remains now noe more to y^e Accomplishm^t of y^e End desired & designed, but that you who are esteemed y^e Head of this Body keep a proportionable Harmony wth y^e rest of y^e Members in a liberall & voluntary Contribuçon for the strengthening that Place, wherein y^e Security of y^e whole is soe nearly concern'd. Now by what Method you will pforme it I shall leave to yo^r grave & Judicious Determinaçons; only assuring you your Care & Bounty therein shall not altogether fall to y^e Ground unregarded; but if it ever please God to afford mee an opportunity of a kinde Retalliation (in y^e gratifying of you in anything that may bee advantagious to y^e Corporation) I shall most gladly embrace y^e Occasion; & in y^e meane time I shall soe transmitt it on Record as what I leave unhappily imperfect may notwithstanding still bee convincing Arguments to induce my Successo^{rs} to a reciprocall Gratification of you; Thus recommending y^e Premisses to yo^r ingenuous Consideraçon, I bidd you all heartily Farewell, & remaine

Yo^r assured Loving Friend.

Fran: Louelace.

Forte James in N: Yorke.

July y^e 3^d 1672.

G. E.
4:160
(NYSL)

Commission given to M^r Thom: Lovelace, Cap^t Morris, Cap^t Manning &c: to collect y^e Contribuçon Money concerning the fforte &c:

1672
July 3

Whereas there is a great Necessity of y^e Reparaçon of fforte James in New Yorke, the w^{ch} through length of time

is very much fallen to Decay, & it being y^e chiefe place of strength within these his Royall Highness his Territoryes, It is requisite the Fortifications should bee made up & maintayned, more especially at this juncture of time, when his Mā^{tie} hath been pleased to Advertize his Subjects in these parts, That they should putt themselves into a Posture of Defence, in regard of the Commotions like to arise in Europe, which may also reach us here; And the Resolu^{cion} together wth y^e Necessity & great Charge hereof haveing been recommended by mee unto y^e Courts of Sessions of y^e severall Rideings of Long Island, as also to this City, who out of a franck & voluntary Benevolence have subscribed & consented to pay y^e severall Sumes of Money or Vallue in y^e Returnes of y^e respective Townes, as well as of particular Persons sett forth; To y^e end y^e said Contribu^{cion} may the better bee collected & converted to y^e best Advantage, to make payment & satisfaction for y^e Materialls as also y^e Wages that shall become due to y^e Labourers and Workmen employed therein, I have thought fitt by and with y^e Advice of my Councell, to nominate, constitute, & appoint, and by these p^rsents doe hereby Nominate, Constitute & Appoint Thomas Lovelace Esq^r Cap^t Richard Morris, Cap^t Jn^o Manning, M^r Allard Anthony, M^r Thomas Gybbes, and M^r ffrancis Rombout to bee Comn^{rs} to take Charge and Care of y^e collecting y^e said Benevolence & Contribution as it shall come due, & to dispose thereof when received according to such Directions & Instructions as from time to time they shall receive from mee. And y^e said Comⁿ^{rs} or any three of them (which shall bee adjudged a competent Number to Act herein) are hereby Ordered & Empowered to meet once or twice a week as they shall see Cause, at y^e Statehouse of this City, to putt Matters into a Method, for y^e best advantage of the Stock w^{ch} is to bee received and

G. E.
4:160
(NYSL)1672
July 3

G. E.
4: 160
(NYSL) disposed of by them, for the use & worke aforesaid; Of all
w^{ch} they are from time to time to render mee an Acco^t And
for what they or any three of them shall lawfully Act or Doe
1672
June 3 in prosecution of this my Co^mission, These p^rsents shall
bee to them or every of them a sufficient Warrant & Dis-
charge. Given under my Hand, & Sealed wth y^e Seale of
the Province this 3^d day of July in y^e 24th yeare of his
M^a^t^yes Reigne Anno^q Domini 1672.

[Francis Lovelace.]

Col. MSS.
22: 130
(NYSL)

[Contributions for Repair of Fort James.]

New Yorke 4 July 1672 —

1672
July 4-26 The following Persons have subscribed towards the
reparation of James ffort Viz^t:

S ¹	Capt ⁿ Thomas De Lauall seawants value...	f800#—
S	M ^r Cornelis Steenwyck in Wyn at Long Maryes or fredrick Gysberts.....	300#—
S	M ^r Olof Stevensen Seawants Vallue.....	200#—
S	M ^r Richard Morris Seawants Vallue.....	500#—
B	M ^r Gabriel Minvielle 6B ^{rs}	150#—
S	M ^r W ^m Darval £5: or.....	180#—
S	M ^r Jeronimo Ebbingh Wampum Vallue....	60#—
B	M ^r Matthys de Haert 2 B ^{rs}	50#—
S	M ^r Jacob Leiseler in goods.....	50#—
S	M ^r francis Rombouts Wampum Vallue.....	50#—
S	M ^r : Jacques Cousseau in goods.....	60#—
B	M ^r Daniel Hondecoutre 1½ Bev ^r or.....	36#—
S	M ^r William Beeckman in Beere.....	50#—

¹ S means seawant, B signifies beaver, and W denotes work.

New York 11 July 1672 -

The following Persons have subscribed
towards the Reparation of Fort James

3 Capt. Thomas De Laull	servants value	200.
3 Mr. Cornelius	Edinburgh in ship at Long market or freedom 9 y ^{rs} old	300.
3 Mr. Olaf	Sturgeson servants value	200.
3 Mr. Richard	De laun servants value	500.
3 Mr. Gabriel	Miniville 6 y ^{rs} old	150.
3 Mr. W ^m	Barvalto 6 y ^{rs} old	100.
3 Mr. Jeronimo	De laun servants value	60.
3 Mr. Mattheus	De laun servants value	50.
3 Mr. Jacob	Leveller in goods	50.
3 Mr. Francis	Rombout servants value	50.
3 Mr. Jacques	Coutts in goods	60.
3 Mr. Daniel	Brundel 1 y ^{rs} old	36.
3 Mr. William	Brundel in goods	50.
3 Mr. John	Verplanck servants value	30.
3 Mr. John	Philips	200.
3 Mr. John	De laun servants value	100.
3 Mr. John	De laun in goods	50.
3 Mr. Jacob	and his servants on board	25.
3 Mr. Thomas	De laun in goods	80.
3 Mr. Charles	Lord 1 y ^{rs} old	25.
3 Mr. William	Brundel	50.
3 Mr. Hartman	Worrel	10.
3 Mr. Jan	Looson on board	25.
3 Mr. William	De laun 6 y ^{rs} in board	10.
3 Mr. Jacob	Van Bricht on board	25.
3 Mr. Jan	Barbouding	50.
3 Mr. Arima	William De laun 200 y ^{rs} on board	100.
3 Mr. Dirk	De laun on board	25.
3 Mr. Cornelius	De laun Clapper	25.
3 Mr. David	De laun in goods	30.
3 Mr. David	De laun in goods	60.
3 Mr. Jan	Winger in goods	30.
3 Mr. Thomas	De laun	20.
3 Mr. James	De laun	25.
3 Mr. Abel	De laun 6 y ^{rs} in board	10.

Transporters of D^r and J^r

FIRST PAGE OF SUBSCRIPTION LIST
FOR REPAIR OF FORT JAMES
NEW YORK CITY—July, 1672.

(Reduced from 12¾ by 8 inches.)

S	Mr Gelyn Verplanck Seawants Vallue.....	30#—	Col. MSS.
S	Mr fredrick Philips.....	200#—	22 : 130 (NYSL)
S	Mr John Rider Seawants Vallue.....	100#—	Cont.
S	Mr John Sharp in goods.....	50#—	6 July
B	Luycas Andries Sloopman one beav ^r	25#—	
S	Mr Johannes de Peister in goods.....	80#—	
B	Claes Lock 1 Beav ^r	25#—	
S	William Merrit.....	50#—	
S	Hartman Wessels.....	10#—	
B	Jan Joosten one beav ^r	25#—	
S	Gulliam De Honeur 6 g ^{rs} in beav ^{rs}	18#—	
B	Isaacq Van Tright one beaver or.....	25#—	
S	Jan Harberdingh.....	50#—	
S	Reynier Willems Baaker 200 fl ^s bread.....	80#—	
B	Dirck Smith one beav ^r	25#—	
S	Cornelis Jansen Clopper.....	25#—	
S	Lourens Vander Spiegel in broot.....	30#—	
S	Coenraet ten Eyck in Wampum Vallue.....	60#—	
S	Jan Vinge in Beere.....	30#—	
S	Thomas Karre.....	20#—	
S	James Matthewes.....	25#—	
S	Abel Hardenbroeck 6 g ^{rs} in beav ^{rs}	18#—	

Transportere op d'ander syde f

Pr Transport..... f

B	Cornelis Van Borsum 2 B ^{rs} Vallue.....	50#—	
B	Jonas Bartelsen one beav ^r	25#—	
B	Dirck Van Clyf one Beav ^r	25#—	
S	Doct ^r Henry Taylor.....	100#—	8 July

Col. MSS.	S	Jno Garland one barrel of beefe Vaff at.....	80#—
22: 130 (NYSL)	W	Jacques Croisson 2 dayes Worke.....	8#—
Cont.	S	Anthony de Milt in bread.....	20#—
	B	Gerrit Vulleever $\frac{1}{2}$ Bever.....	10#—
	S	Nicholaes d' Baaker.....	12#—
	S	Evert duyckingh, the vallue of.....	15#—
	S	Jurian Blanck in goods.....	20#—
	S	Jan Keteltas the value of $\frac{1}{2}$ Bev ^r	10#
	S	Jan Roelofsen bootman the Vaff of.....	12#—
	S	Wander Wessels hatter.....	8#—
	S	Boele Roelofs.....	18#—
	S	Elias provoost smith.....	15#—
	W	Poulus Turck een broeck te maeken vallued..	6#—
	S	Barnadus Hassing the Vallue of.....	12#—
	S	Peter Nys.....	30#—
	B	Thomas Lourens one beav ^r	25#—
	S	Symon Romeyn in Corne.....	40#—
	B	Jan Scholten $\frac{1}{2}$ Bever.....	10#—
	S	Balthaz Bayard vallue.....	20#—
	W	Albert bosch in Labour out of his shop.....	12#—
	S	Roelof Jansen Halfe a Mutton Vaff.....	12#—
	S	Luycas Van Thienhoven.....	8#—
	S	David Provoost.....	6#—
	B	Hendrick Droogstraet 2 raccoons Vaff.....	5#—
	S	Daniel Setton.....	40#—
	S	Gerrit Hendrickx Slaught ^r $\frac{1}{2}$ a mutton vaff...	12#—
	S	Jan Van Brestede.....	25#—
	S	Andries Jochems.....	10#—
	W:	Gerrit Roos one day Carpent ^{rs} Labour.....	7#—
	S	Jan Bosh tayler.....	5#—
	S	Isaacq Van Vleecq 50 ft flower Vaff.....	18#—
	B	Poulus Richart one beav ^r or.....	25#—
	B	Jacob Vande Water one beav ^r	25#—

S	Thomas Taylor.....	20#	Col. MSS.
S	Lourens de Smit in Country pay.....	6#—	22:130 (NYSL)
S	John Nelson in goods by M ^r derval.....	20#—	Cont.

Carried ouer

f

Brought over..... f

B	Peter de Riemer one beav ^r	25#—
S	Nicolaes de Laplayne.....	12#—
S	Roger Purchaze.....	25#—
S	Jan Hendricx Van bommel in goods.....	10#—
S	Andries Claes Carpent ^r	8#—
S	Cornelis Pluvier 50 ff dry bread.....	20#—
S	Jan Adams one schepple Wheat.....	6#—
S	Symon barents in goods.....	12#—
S	Herry Brazier.....	20#—
S	William Waldron 2 barrels or.....	10#—
B	Jan Dircksen Meijer one beav ^r	25#—
S	Pieter Jacobs Marius.....	50#—
B	fredrick Arents Torner in bev ^{rs} f4—or.....	12#—
S	William White.....	10#—
W	Pieter Simkans the makeing of a Coat Vaff... ..	12#—
S	Harmen Smeman 4 tunn of Lime.....	8#—
W	Willem Van Vredenburgh the making of a paire britch	6#—
S	Jacob Teunissen Kaay by an assignm ^t	50#—
S	Thomas Berryman.....	30#—
S	Pieter Jansen Mesier 4 tuñ Lime.....	8#—
B	Stephen Van Cortlant one beav ^r	25#—
S	William Errewin.....	25#—
S	Hendrick Jans backer as p ^r bill of paines [?]. .	30#—
S	Adolf Pieters.....	20#—

Col. MSS.	S	Anthony Jans Van Sale.....	6#—
22: 130	S	Benjamin Provoost Cooper 2 barrels.....	10#—
(NYSL)	S	Jan van Gelder.....	12#—
Cont.	W	John Cooly in Work out his Shop f60 or....	30#—
	S	Peter Stoutenburgh in goods.....	15#—
	B	Jacob Mens $\frac{1}{2}$ beav ^r	10#—
	S	Jan Spiegelaer the Vallue of.....	10#—
	S	Evert Wesse[1]s Kuyper.....	20#—
	S	fredrick Gysberts 5 cans of Wyn.....	25#—
	S	Jacob Abrams shoemaker.....	16#—
	S	Timoteus Gabrie in handen van Swert olpherts	25#—
	S	Jacob Kipp 2 tonne Bier.....	60#—
	S	Thomas Gibbs the vallue of.....	80#—
	S	Nicolaes Dupuie 2 busshels Indian Corne....	8#—
	B	Augustyn Blyenbergh one beav ^r or.....	25#—
Carried ouer.....			f

Brought ouer.....			f
	S	Abram Verplanck 4 scheppels Rye.....	16#—
	W	Isaacq Kip one day Labour.....	4#—
	B	Henry Coustrie 2 halfe beav ^{rs}	20#—
	S	Abram Jans 3 schipples peaze.....	12#—
	W	Abram Mol one day Carpent ^{rs} worke	7#—
	S	fredrick Hendricx de boogh in goods.....	6#—
	S	Claes bordingh.....	50#—
	S	Hendrick bosh in goods.....	20#—
12 ^{en} Julij		asser Leuy the value of one beauer.....	25:—
		Thomas karr.....	20:—
		egbert meyndertsen.....	6:—
26 ^{en} julij		david wessels.....	15:—
		marten mejer de Smit.....	12:—

cornelis Jansz de visscher.....	6:—	Col. MSS.
carsten Liersen.....	32:—	22: 130 (NYSL)
jan poppen }	24:—	Cont.
jan cornelisz }		
wessel wessels ten broeck.....	20:—	
Jacob Leunen.....	9:—	
Cornelis barentsz coordwener [?].	23:14	
[barssen Slecht ?].	18:—	
adam onchelback.....	8 [?]	
Thomas Lewis.....	f2 —	
Cap ^t John berry.....	f150:—	
philip Johns een beuer.....	f 25:—	
Jacob Swart by pieter nijs .2. Schepel [ertten ?] ..	f 8:—	

Endorsed:

New Yorks Contribuçon.

July .4. 1672.

Instructions for y^e Commission^{rs} Col. MSS.
 appointed to have Inspection 22: 134
 for the Regulation of y^e For- (NYSL)
 tification of James Forte.

1 When You are all mett together at y^e Place appointed in yo^r Commission, You are first to pitch on a Charye-man, who shall preside as President of y^e Commissioners, whose Name shall be affixt to all Letters you shall have Occasion to write, Warrants, or any other Writeing that shall bee requisite.

1672
July 11

2 You are likewise to chuse some young Man to bee yo^r Clerke to Record fairely what shall bee transacted by you.

3 You are likewise to call for all y^e Subscriptions of the Voluntary Contributions, that have been presented either

Col. MSS. from all the Townes in Generall, or any particular Person,
 22: 134
 (NYSL) w^{ch} Subscriptions M^r Mayo^r shall deliver to yo^r Custody.

1672
 July 11 4 You are to take an Acco^t of all y^e Workmen that are employ'd, together wth y^e vallue of their Wages, which shall bee delivered to you by my brother Dudley Louelace, as likewise y^e Defaulters, which weekly or oftner shall bee represented to you, and to keep a Booke of them, that noe idle Person bee obtruded on you.

You are to appoint a Treasurer who shall keep all y^e Goods that are contributed, & to issue out Payment when Occasion shall serve, to whom a moderate Allowance may bee made for his Care & Trouble.

You are to examine all Bills of Mechanicks, as Smyths, Wheel-Wrights, Carpenters, Carr-men, Boatmen &c; & to Examine them on Oath; w^{ch} Oath I hereby give you full Authority to Administer; To the end noe ffraud be committed in their Dealings.

And Lastly, You are to take into yo^r Consideraçon all things that may best tend to y^e carrying on of the Worke, though not particularly [s]p[eci]fyed [in your] Instructions, and to represent it (in case of Difficulty) to mee, that soe a finall Determinaçon may bee made to y^e Advancement of the End designed.

Given under my Hand at Forte James in New Yorke y^e 11th day of July in y^e 24th yeare of his M^a^{ties} Reigne, Annoꝝ Domini 1672.

[Signed] Francis Louelace

Endorsed:

The Co^mmission^{rs} In-
 structions about y^e
 Fortificaçons.
 July 11. 1672¹

¹This is the original document signed by Lovelace, The engrossed copy is in *General Entries*, vol. 4, p. 165. No material variations appear.

Letter from y^e Governo^r to y^e Schout
& Co^mmissaryes at Albany.

G. E.
4: 168
(NYSL)

Gentlemen.

The Newes of y^e great Revolutions in Europe is by this time soe well known to you, that I shall spare a Repetition; by it you must needs bee awakened to provide for your mutuall safety, to w^{ch} there shall bee nothing wanting in mee that may add to yo^r Security to y^e utmost of my Ability; To w^{ch} end I have desired Cap^t Delavall wth y^e rest of y^e Councell (now wth you) to examine & advertize mee in what State you stand. They can assure you of the great prepa^racions I am makeing here, as likewise of the chearfull & hearty Concurrence both of the City and Countrey to assist mee by a voluntary Contribu^{ti}on to carry on the Worke. I can in noe wayes doubt but to a Worke soe gratefull to his M^a^{tie}, his Royall Highness, our gracious Protector & Proprieto^r you will cast in your Mite. You may remember how willing y^e Inhabitants of these parts were (when p^rsent wth you, & a Danger seem'd to threaten you) to lend you their assisting hand. I hope you will not now bee backward to them in the like Retalliation; assuring you withall, yo^r forwardness herein shall not altogether fall to y^e Ground; but when ever it shall lye in my power to gratify you by any lawfull demaunds for the Advantages of yo^r Place, I shall most readily comply wth it. In y^e mean time I shall transmitt yo^r hearty Concurrence to his Royall H^s our great Patron & Protector, who as I know will bee much pleas'd to finde soe great a readyness in you, soe likewise you may expect from him all y^e Grace & ffavour to further yo^r Prosperity by a carefull & fatherly Protection of you; And withall I must acknowledge it a kinde Service to

Yo^r affe^{ct}^{ate} Friend.

Fr: Louelace

[July]
1672¹

¹Undated in the recorded copy, but from its position in the volume evidently belongs between July 16 and 18, 1672.

No. LXXVI.

CORRESPONDENCE BETWEEN LOVELACE
AND LEVERETT.G. E.
4: 121
(NYSL)A Lett^r to Majo^r Geñ^{rl}
Leverett at Boston.S^r1672
Apr. 23

It was neither out of Vanity nor Pride, that hitherto I have not had a Close Correspondence wth you; for believing it a receiv'd Practice that when any Stranger enters himse^lve into a Neighbourhood, y^e p^rsent Inhabitants (by y^e rules of Vrbanity) ought to Congratulate his Reception, This being unfortunatly omitted by you I could not expose the Dignity of my Royall Mast^{rs} Interest, whose Substitute (by his great Indulgence & ffavo^r I am) to any cheap Rate; However passing by all former Mistakes, & since y^e vicinity of y^e Place, & mutuall Interest may teach us a more substantiall Benefitt, then ayery Complem^{ts} I shall bee very gladd to embrace y^e opportunity whenever fayrly rep^rsented to mee; It is possible I may fall under yo^r hard Censure in y^e Prohibiçon of Wheate in Grayne, but it being universall (not respecting Persons) & y^e great Vtility wee receive by it, may bee satisfactory without further Arguments too long here to recite; All that I drive at is, that his Mā^{ties} Interest the Glory & Hono^r of our Nation (now in these portending boysterous times) may entirely bee p^rserved, to w^{ch} end the best expedient is a mutuall Vnderstanding of our nearest Allyes, w^{ch} if you believe your selfe soe, with us I doubt not but time and a happy Opportunity may demonstrate that these (almost unknown parts of y^e World) will bee able

to mainfest, though wee are divided from our native Soyle
by Distance, yett not by Publick Interest and Loyalty; I
have now noe more but to assure you I am with all respect.

Yo^r affe^{ate} Friend & Servant

Fran: Louelace.

G. E.
4: 121
(NYSL)

1672
Apr. 23

S^r:

There are some Souldyers lately
runn away from their Colo^{rs} from
mee, if you meet wth any it will bee
a great Service to his Ma^{ties} Interest
to returne them, & I will defray all
Expences, & wthall esteem it a singular
ffriendship to mee.

Aprill y^e 23^d 1672.

An Answer from Majo^r Geñ^{rl} Leverett
to a Letter sent him from y^e Governo^r of
N: Yorke bearing Date April y^e 23^d. 1672.

G. E.
4: 157
(NYSL)

Boston May y^e 9th. Anno. 1672.

S^r:

Yo^{rs} by M^r Sharp of y^e 23th April came to hand y^e 29th
day, thereby y^e first occasion offered unto mee to assume y^e
Boldness to enter into this way of Correspondence wth yo^u,
not knowing but your beliefe may hold amongst Equalls,
circumstanced sutably for Time & place, of w^{ch} Number
should I vulture myselfe, you might justly accompt mee worse,
then Ayery,¹ whilst the Omission of that you count soe
could not bee any temptation to you to prostitute his Ma^{ties}
Interest under your Betrusement to any cheape Rate, I hope
I shall never give you any just Cause to blame mee for back-

1672
May 9

¹ An archaic form of airy and aery.

G. E.
4:157
(NYSL)

1672
May 9

wardness in embracing any Opportunity offered for my Acting to Publick Benefitt, & less to suspect mee for being busy in enquiring into y^e Motions of any publique Instrument, least of all to bee censuring of them; Ever bearing it with mee as my great Concernment, to bee ready & able to give Acco^t of my selfe, & may I bee helped in my private & more publique Capacity soe to carry it, that I may render my Acco^t wth Joy unto y^e Lord whose Barr there's noe avoiding; To mee it will bee sufficient in attending to y^e way thereof; I'me sure there can bee noe ffaylor in preserving entire in his M^a^{tyes} Interest, & the Nations Hono^r bee y^e times never soe boysterous; & by y^e Grace of God I desire and shall endeavour to bee found most nearly allyed to those that feare God, Hono^r y^e King, Love y^e Brotherhood; & in that may bee ready to doe Good unto all Men, that thereby I may keep close to Publique Interest & true Loyalty. Yo^r Hono^r intimating that some of yo^r Souldyers had left their Colo^{rs}, not nameing them I enquired of M^r Sharpe their Names, & told him (if he could give them to mee) I would secure them, if they were to bee found amongst us, & send them to you according to yo^r Desire, who since informed mee that hee had learnt their Names, & that they had shipt themselves wth one M^r Thomas Genno^r Commander of a Ship that is gone to Long Island to take in Oyle, & soe bound for London. Thus presenting my humble Service to yo^r Hono^r I commend You to y^e Protection of God, assuring you that I am.

Yo^r ready & affe^{ate} Servant

Jn^o Leverett.

No. LXXVII.

NEW JERSEY REBELLION—LOVELACE AND
CAPTAIN JAMES CARTERET.

Lett^r from y^e Governo^r & Councell to Cap^t James Carterett
as an Interposi^con for a renewed ffriendship betwixt him
& Cap^t Philip Carterett &c:

G. E.
4:142
(NYSL)

S^r

The Governo^r haveing lately receiv'd a Lett^r from his
Mā^{tie} Dated y^e 10th of March 167 $\frac{1}{2}$ who out of a Paternall
& Princely Regard to y^e safety of these his Dominions in
America, admonishes us (by the great Revolutions that are
now likely to happen in Christendom) that wee might
timely provide against y^e Co^mon Enemyes of his Mā^{ties}
Just Rights and y^e true Interests of y^e particular Proprieto^{rs}
to whom his Mā^{tie} has most graciously transferr'd over his
Clayme of any of these his Territoryes of Colonyes on this
Continent of America, by a more strict Vnion of our selves
together, whereby wee may bee the better able to assist each
other as Occasion or Exigence should require; And haveing
taken notice of late that our next Neighbour Governour,
Cap^t Philip Carterett with whom hitherto wee have had a
friendly & Amicable Correspondence, is now in a manner
extruded from freely Exercizing that Authority, by w^{ch} hee
was commissioned to Rule and Governe those committed
to his Charge & trust, & y^e Legislative Power now exerciz'd
by others; To the end his Mā^{ties} gracious Advice & Commands
may bee loyally & Solemnly observ'd, It will bee necessary
that a true Vnderstanding bee known by what means this
suddaine Mutation is made, that soe wee may not bee to

1672
June 11

G. E.
4:142
(NYSL)

1672
June 11

seek to whom legally to apply our selves to, if ever any Immergencyes should call on us conformable to his Mā^{ties} most Gracious Will & Pleasure; Allwayes professing where the just Authority does reside to bee willing & ready on all lawfull Occasions to bee soe serviceable to them, as wee desire y^e like from others, if need should require. Neither have wee occasion to feare, that those unhappy Breaches w^{ch} have happ'ned amongst you, bee altogether soe desperate and incurable, but that by y^e Interposition of moderate & unbyasst persons to either Party, such a Composure may bee propos'd, as may satisfy all Interest, but those that delight in Nothing soe much as in Dissention.

S^r if these amicable Proposiçons of ours bee but hark'ned to (& by the Blessing of Almighty God) take that Effect wee cordially wish in y^e Peace & Tranquility of you our nearest Neighbo^{rs} Wee shall have cause to bless God in makeing us y^e happy Instruments to soe worthy a Worke; But if it fall out contrary to our profest Desires (which God forbid) yet wee shall acquitt our selves to all the World of the entire Sincerity wee have us'd to heale those Wounds w^{ch} (perhaps) the Enemyes to his Mā^{tie} & Lord Proprieto^{rs} would bee gladd to see fester into a Gangreen, & soe become incurable.

S^r Wee heartily desire you to take these our Reflections into yo^r serious Consideraçon, & to believe noe sinister end whatever doth prompt us to this Interposition, but it being a Christian Charitable Worke acceptable (wee believe) to God, who is a God of Order, to y^e Loyalty & Duty wee owe his sacred Mā^{tie}, & that Coñon Charity wee desire may bee paid to each other, by endeavouring to p^rserve a Vnity of Spiritt in y^e Bond of Peace.

Thus recoñending these our Reflections into your candid & ingenuous Acceptaçon wee heartily take Leave of you,

desireing you to send an Answ^r in Writeing by this Gentleman y^e Bearer Cap^t Dudley Lovelace, who will deliver this to your Hands.

G. E.
4: 142
(NYSL)

By Ord^r of y^e Governo^r
and Councill.

1672
June 11

Fort James in New
Yorke y^e 11th day of June
1672.

Cap^t James Carterett his Answ^r to y^e above
written Lett^r

G. E.
4: 143
(NYSL)

Right Hon^{ble} S^r
&

Worthy Gentlemen.

I received yo^{rs} per y^e hands of Cap^t Dudley Lovelace Dated y^e 11th of this Instant. The Contents I have perused, & part of them doe finde meriting all Loving Acceptance & kinde Entertainm^t; assureing you that I doe fully concurr & acquiesse wth you in respect to any friendly Association, whereby wee may bee made more capable to signify y^e Integrity & Sincerity in serving his sacred Ma^{tie} in his Concernes either here or elsewhere, & when Occasion doth present my selfe & y^e Inhabitants here shall readily & chearfully manifest the same according to his Mā^{ties} Gracious Advice & Co^mmands in whatsoever wee are or may be found capable; w^{ch} I hope & desire may Satisfy you or any others, who are dubious whom to apply themselves unto; if ever any Immemergencies should call on them; ffor you may please to believe That in what is, or may bee proper to us wee shall shew y^e like willingness to assist you against any of his Mā^{ties} Co^mon Enemyes; But w^{ch} will afford you y^e less Encouragem^t, & wee indeed are ashamed to divulge, our Inhabitants are in a raw & undisciplined Condition, brought thereunto by Cap^t Philip Carterett, who differing from all Martiall

1672
June 14

G. E.
4:143
(NYSL)

1672
June 14

Men that ever I knew in the World, hath for severall yeares past threatned & forbidden our People upon paine of Death not to Exercize themselves in Military Affayres or Discipline; w^{ch} together wth other Gross Miscarriages of his, contrary to our Concessions, & contrary to his own Commission hath formerly (in his time of Governm^t) unjustly dissatisfyed, disturbed, & impoverisht the Kings Subjects in this Province; And if then you or others who pretend such amicable ffriendship & Correspondence wth him, had been pleas'd to advise & Councell him better, It might have been better for him then at this time. What you mean by Reflections, is above my minor & feeble Capacity to apprehend; And as I favourably conjecture they are as inexpedient to promove & encrease Love & Peace, as Interpositions are to heale unhappy Breaches; of w^{ch} (by the Blessing of God) wee are freed of late, & doe enjoy very much Tranquility amongst our Selves to our great Satisfaction; yett possibly not wholly exempt from turbulent, Jehu, & Ishmaelite Spirits as appeareth in all Ages, Provinces, & Jurisdctions, together with the old pernicious Sect of Tale-Bearers, w^{ch} the Wise-Man speaks of; And I wish that you & I may take that juditious & divine Advice of his; *Proverbs* y^e 20th & 19 Ver: & y^e 17th & 15th ver.

S^{rs} In respect to y^e Differences or Breaches that have hap'ned between Cap^t Carterett & my selfe, there is (as you say) noe occasion to despaire, but they will in time bee healed or cured by the Hon^{ble} Lords Proprieto^{rs} unto whom they are already p^sented & referred, as to y^e most ample & compitent Judges in those Matt^{rs}; And I doubt not but yo^r selves will graunt them to bee moderate & unbyassed Persons on either side; And if soe, then most requisite that they should receive that Acco^t w^{ch} is rendred to them; the same which I suppose you mean by a suddaine Mutation here;

A true understanding whereof is as much unnecessary to be declared to unconcerned Persons, as by what Authority I act & transact Affayres here in this Government, a thing w^{ch} I have never sought to pry into in other Governments; and why any Acco^t thereof should be required or expected by you as a Councell I know noe Reason, seeing that I am not under Obliga^on to render the same to any but to his M^a^{tie} & my Superiours the Lords Proprieto^{rs}, by whose Ord^{rs} & Instructions I act, & shall in an orderly, meek, & peaceable way endeavour to suppress such who doe most falsely without either Shew or Colour of Truth repute mee a Disturber of y^e Countrey, like unworthy Persons as they are; who some I have accused of speaking treasonable words against his M^a^{tie} the King, & under y^e Guilt of y^e Breach of their Oath of ffidelity to y^e Lords Proprieto^{rs} & have fatally ruined their Interest here, & y^e poore Inhabitants of their Province in a great Measure. These have very lately published mee by their Writts a Reb^l & Mutineer, who am Proprieto^r of my ffathers Interest in this Province; They are likewise great Disturb^{rs} of our Peace, they and only they, & doe frequently, arrogantly & falsly Declare in New Yorke that I have done it, because I have taken a Legall Course to putt a Stopp to their unjust, & unrighteous Proceedings, greatly dishonor^{able} to God, his M^a^{tie} y^e King, & y^e Lords Proprieto^{rs}; All w^{ch} I can sufficiently prove & make appeare to y^e Damage & shame of the aforesaid Persons, countenanced, encouraged, & believed by some in New Yorke; which I take unkindely; And if God spare life, I will give his Royall Highness an Accom^t of them by the first, & after second it mysef by a Verball Declara^on how I am used in his Territoryes, as also who they be that have appeared like Enemyes to King & Countrey, & perhaps (as you say) would gladly see Wounds fester into a Gangreen,

G. E.
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(NYSL)

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June 14

& soe become incurable; which God forbidd, & grant that I may bee by all Lawfull & just Endeavo^{rs} an Instrum^t to p^rserve Vnity in the Bonds of Peace; A thing w^{ch} I can appeale to God (wth a Conscience unblameable) & acquitt my selfe before all the World, I never did obstruct in any unrighteous or illegal Way; And it is my hearty and unfeigned Desire to live in all amicable Correspondence & Tranquility with you and all Men. Soe you shall ever finde mee

Your ready Friend

James Carterett.

Elizabeth Towne in New Jersey

June y^e 14th. 1672.

G. E.
4: 207
(NYSL)

1672
Sept. 18

Lett^r from y^e Governo^r to Cap^t James Carterett
of New Jersey. Sep: 18. 1672.

S^r:

I receiv'd yo^r Lett^r by y^e hands of M^r Jones; y^e Contents were a Narrative of what had past between one of yo^r Magistrates & my Marshall; I must confess I have heard something of that Story though imperfectly; neither did I give too much Creditt to his Relation, finding him to bee too much transported, w^{ch} I can attribute to noe other reason, then what hee averrs, his hard Treatm^t; Tis true, I employ'd him to forewarne all persons (that had not. that common Civility in them to desire Liberty of mee,) to cutt & carry away Hay from Staten Island without my Approba^{cion}; but it seems M^r Hopkins (whether in contempt or Derision) p^rsum'd to make an Essay, whither the Propriety belong'd to his Royall Highness, or y^e Lord Proprieto^{rs}, & as my Servant averrs, when that was y^e Dispute, hee was soe confident as to decide it theirs (for that was the Terme) And upon that Conclusion perhaps us'd him more vigor-

ously then some undecent Reply of my Servant might meritt.

G. E.
4: 207
(NYSL)

S^r I hope there will not bee an Occasion of a Controversy of the Title of that Place after 8 yeares possession, together with a lawfull Purchase of the Natives, & not the least Contradiction from y^e Lord Proprietors; but if any pragmatick Person, out of any Officiousness or sinister Ends of his own shall intermeddle in that Affayre, I shall assure him to maintaine my Royall Masters Interest to that Place, to the utmost of my Ability; M^r Jones brought another Letter but finding the Superscription to bee M^r Hopkins his Hand, Hand, with whom I never had any Correspondence (neither desire I any) I refus'd the Acceptaçon. I have noe more at present, but that I am

1672
Sept. 18

Yo^r humble Servant

N: Y: 18. Sep: 1672.

Fr: Lovelace.

Łre to Cap^t James Carterett at
Elizabeth Towne in New Jersey.

G. E.
4: 218
(NYSL)

Hon^d S^r

I received yo^r Łre of y^e 12th of Octob^r, wherein you seem to complaine of a barbarous & murtherous Act (as you are pleasd to name it) co^mmitted on y^e Body of yo^r Marshall, & at y^e same time, I am sollicitd by M^r La Preary, & y^e Deputy Governo^r Cap^t Berry, who both are in the nature of Exiles, not daring to returne, the one to y^e peaceable enjoyment of his Estate, purchas'd by his hard Labour & Industry, the other from Exercizing that Authority of Deputy Governo^r in the Dispensation of Justice, & y^e preservaçon of the Publick Peace, according not only to y^e Oath hee stands oblig'd to, but likewise to that Trust lawfully invested in him by y^e Governo^r Cap^t Philip Carterett.

1672
Oct. 13

G. E.
4:218
(NYSL)

1672
Oct. 13

What to doe in this Case, & to satisfy two different Opponents might puzzle a greater States man than I p^rtend to determine; Yet when I reflect on y^e Answ^r you were pleas'd to returne to that Lett^r of ours, wherein (mov'd out of tender sence of the Inconveniencies & mischiefs which were dayly growing to y^e hazard of y^e effusion of Christian Blood, w^{ch} since has hapned, & wee having noe other Ayme then the peace & tranquillity of you our Neighbo^{rs} consonant to y^e Commands of his Sacred M^a^{tie}, who enjoyn'd all Neighbouring Colonyes to enter into a strict Association wth each other, that then (I say) you were pleas'd to have soe little regard to those our kinde & friendly Proff^{rs}, as in returne of an acknowledgm^t of those Sentim^{ts} of ours, you wonderd wee should concerne our Selves in y^e Affayres of yo^r Governm^t since you never sought it in ours; If S^r you continue in those resolutions still, you have then answerd yo^r selfe; Neither doe I intend for y^e future to concerne my selfe wth you in any Publick Affayre, unless you undeceive mee by shewing mee a sufficient Deputa^{co}n from the L^{ds} Proprieto^{rs} to act as a Governo^r w^{thout} w^{ch} I cannot safely adhere to you as a Publique Minist^r but abstracted from that As you have had y^e large Experience of my Civility towards you, Soe (keeping within that Circle) you shall allwayes finde mee ready to acknowledge you as I desire to bee by you

Oct^r 13 1672.

Yo^r affection^{t^e} Friend

Fr: Louelace

I had forgott to acquaint yo^u that yo^r Prosecuto^{rs} attempted to enter on Staten Isl^d in Quest of M^r La Prery, where if they had found him were resolved to carry him away w^{thout} my Leave. I shall desire for y^e future, you to refrayne that course, least you constreyne mee to fetch them back from you.

Lett^r to Cap^t James Carterett at Elizabeth Towne
in New Jersey. Dated 22th Octob: 1672.

G. E.
4:224
(NYSL)

S^r

Before M^r Delavall resolv'd to shake hands with Albany for this Winter Season, hee was Determin'd to kiss yours, & I have perswaded M^r Steenwijck & M^r Nicolls to accompany him, to try if yet there were a possibility left by a faire & amicable Interposition to make up those Rents w^{ch} by y^e sufferings of some, & y^e Asperity of others (if not prevented) will grow past their skill to close; Neither can I dispaire but by this inconcern'd Interview (on their parts) but to hope for a good Issue, & the rather in regard M^r Melijn & Baker when parting last from mee returnd to you with great resolutions of propounding such Expedients for a Generall Accomodaçon as might secure each Party (by severall Propositions & Conclusions thereon) both of their persons & fortunes, till the determinative Resolutions of the Lords Proprieto^{rs} might putt a period to all mistaken Distinctions on either side. S^r contrary to my once resolved Opinion of not troubling either you or my selfe more on this Subject, I have (upon y^e Address of very many of your Inhabitants) adventur'd to make this last Essay, w^{ch} I wish may prove effectuell, that soe when ever a Transmutation should succeed between my R: Master & the Lords Proprieto^{rs}, I might not present him instead of a peaceable & well dispos'd Territory (such as I hope to leave) & in Exchange of that a Land only replenisht with Bryars and Thornes; Thus heartily wishing you to make a serious reflection on all the evill consequences that necessarily must attend these Disorders, & by yo^r prudence & Moderation strive to prevent them, that not only the Proprieto^{rs} may bee assured of their indubitable Rights, but the Inhabit^{ts} of

1672
Oct. 22

G. E. their Immunityes & freedoms, w^{ch} & w^{ch} alone is the Cor-
 4:224
 (NYSL) diall Wish of

S^r — Yo^r affec^{ate} Friend

1672
 Oct. 22

Fr: Lovelace

Fort James Octob^r

y^e 22^d 1672.

Col. MSS. [Charles II. to Captain John Berry and Council of New
 22:144
 (NYSL) Jersey.]

Charles R.

1672
 Dec. 9

Trusty & welbeloved, wee greete you well, having beene informed, that some turbulent & disaffected persons, Living & inhabiting within the Province of Cesarea or New Jersey, The propriety whereof wee have granted to our right Trusty well beloved Councello^{rs} John L^d Berkley of Stratton & s^r George Carteret Kn^t & Baronet, doe refuse to submit & bee obedient to the authority derived from us to the s^d L^d Berckley & s^r George Carterett as absolute Proprieto^{rs} of the same, to the great prejudice of the s^d L^{ds} Proprieto^{rs}, the disturbance of the Inhabitants, & hindrances of the whole Plantaçon there designed, Wee doe therefore hereby require you in our Name, strictly to charge & co^mand all persons whatsoever inhabiting within the s^d Province, forthwith to yield Obedience to the Lawes & Governm^t there settled & established by the s^d L^{ds} Proprieto^{rs} having the sole power under us, to settle and dispose of the s^d Countrey, upon such Termes & Condiçons, as they shall thinke fitt, And wee shall expect a ready Compliance, with this our Will & pleasure from all persons whatsoever dwelling or remaining within y^e fores^d Province, upon paine of incurring our high displeasure, & being proceeded agst wth due severity according to Law, whereof you are to give

publick notice to all persons that are or may bee concerned
& so wee bid you farewell

Col. MSS.
22: 144
(NYSL)

Given at our Co^rt at Whitehall the 9th day of Decemb^r.
1672. In the 24th yeare of our Raigne

1672
Dec. 9

By his Ma^{ties} Co^mmand.

Henry Coventry.

To o^f trusty & well beloved
Cap^t John Berry Dep: Go: of
New Cesarea, or New Jersey in
America, & to his Councell there.

Copia vera, compared with the Originall.

James Bollen Sec^r.

No. LXXVIII.

PRUDENCE ISLAND — CONTROVERSY OVER
JURISDICTION AND JOHN PAINE.

Commission for M^r Jn^o Paine Merch^t to bee
Chiefe Governo^r of Prudence Island.

G. E.
4: 186
(NYSL)

Francis Lovelace Esq^r &c: Whereas I have by Patent
granted & confirmed unto M^r Jn^o Paine Merch^t a certaine
Island called Prudence Island, & y^e Government of the
same as may appeare by the said Patent, Dated the 25th
day of July 1672. & also by another Instrum^t for confirma^çon
of the Priveledges & Directions or Instructions therewth &
thereunto granted, bearing Date y^e second day of this
instant Month, both Sealed with y^e Seale of this Province;
And having conceived a good Opinion of the fitness &

1672
Aug. 7

G. E.
4: 186
(NYSL)

1672
Aug. 7

Capacity of the said John Paine to bee Governo^r &c: of the said Island to manage the Publick Affayres there, I have thought fitt to Nominate, Constitute, & Appoint, & by these Presents doe Nominate, Constitute, & Appoint the said John Paine to bee Governo^r during his naturall Life, Hereby giving & granting unto y^e said John Paine my full power & absolute Authority amply to act in all things upon the said Island as Governo^r as aforesaid; In the managem^t of w^{ch} Employment^t hee is to use his best Skill and Endeavour to preserve his Mā^{ties} peace, & to keep the Inhabitants in good Order: And all Persons are hereby required to yield to the said John Paine such respect and Obedience as belongs to a Person invested by Commission & Authority from his Royall Highness in the Office & Employment of a Governo^r & Chiefe Magistrate in the Island afores^d And hee the said John Paine is duely to observe & Obey such Directions & Instructions as are already given forth for the well Governing of the Place, or as shall bee requisite thereto hereafter; And for whatsoever the said John Paine shall lawfully Act or Doe in prosecution of the Premisses this my Commission shall be his sufficient Warrant & Discharge. Given under my Hand & Seale at Forte James in New Yorke this 7th day of August in y^e 24th yeare of his Mā^{ties} Reigne; Annoq̃ Dñi 1672.

[Francis Lovelace.]

Col. MSS.
22: 138
(NYSL)

1672
Sept. 9

[John Paine to Lovelace.]

S^r

By my Las^t from Rode Iseland I gaue yo^r hono^r an Acc^t of w^t passed relateing to Prudence wherin I met not with anye thinge vnexpected I desire (If you think fit) that you turne it not vpon mee but Justyfye yo^r act as I apprehend you may fayrely doe since the Iseland is not named

My dear Sir
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed bill for the relief of the said John Paine, Esq. and to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
John Paine, Esq.
Governor of the State of New York

LETTER FROM JOHN PAINE TO GOVERNOR LOVELAKE.

(Reduced from 12¼ by 15½ inches.)

[in Ro]de Isleland Patten and comprehended in many others [of w]^{ch}, Conecticot & by the Antient Patten of Lord Starlins w^{ch} the duke makes Claime to so y^t though Rode Isleland Patten be before N. York, not before the Lord Starlins w^{ch} the Duke also hath, besides ther Patten Right was neuor demanded at y^e Iseland or of mee or any Possessor of y^e Iseland In any place or at ani time though y^y Elegaly Constrained vs to pay toward I know not w^t Publiq Charges, when I said Justyfy yo^r Act If you thought fitt, I desire not If you think it may anj wise reflect vppon you hono^r as granting w^t may not be within yo^r compas to maintaine y^t it shoold appere to them what is granted or don for I both haue & can keep it from ther vew, but then be pleased to Send mee a Line Vnd^r yo^r hand to Suspend y^e puting it in force vntill Spring next Since the time when or firs^t Cort shoold abeen held for this present yeer was Relapsed before y^e Patten was granted & I woold not be constrained to begin In Octo^{br} & no time being fixt yo^r [Hon]^r may appoynt y^t to be the time (Vid) Spring next & [if t]hey doe know that it is not to bare force til then it wil much amase them for y^y wil conclude by that you will haue ful sattisfaction from England about it & though I hold it to mean an action And too base a Pollicie to be an aduiseor or abetter vnderhand to Indea¹ y^m y^t are jnclined to Subuert the^r Gouvermen y^{et} I heard it was whispered amonges^t y^m ther Last Election & Som of y^e wiseones that they thout it woold be ther best & Safes^t way to put ther Patten vnder the Duke & they are deuided in many parties & If you Sh[ould wri]te to y^m that I may Shew or giue y^m If need require Somthi[ng of] purpose that what you [have under]stud comited to mee you wil bare mee out acting theri[n] [mutilated] [t]ime Shall [mutilated] to [mutilated]^r therin in y^e meanwhile ther com-

Col. MSS.
22:138
(NYSL)1672
Sept. 9¹ Apparently "endear" is meant.

Col. MSS. 22:138
(NYSL) plyance or deuitions^s [shall be] [mutilated] aduantag^e Since they shal be kep^t in Ignorance [of the mat]tar you [mutilated] wil haue it [Sin]ce I am bould t[o] [mutilated] desir[e], [mutilated] Raise many [mutilated] ther way I [h]ope [mutilated] att[en]d y^e Powder [mutilated] acquaint mee with th[e]m as you intended [mutilated] or two & for m^r Lara [mutilated] att Seuen pound ten [y^e] baril monj al good, [mutilated] of newes [mutilated] [f]irnishd wth y^e best wee haue

1672
Sept. 9

Yo^r hon^{rs} [very] humble and ffaithful ser[v]^t
Sept^r 9. 72. Jn^o Paine

Endorsed:

To the Righ^t hon^{tbl} Frances Lovelace
Esq^r Gov^r In Gen^{tl} of all his highnes
Teritories In America—
Thes

Col. MSS.
22:139
(NYSL)

[Paine's Report to Lovelace concerning his Trial.]

Jn^o Paine answ^{rs} not Guilty & referrs to y^e Court & Jury & Pleades.

1672
Oct. 29
and
Nov. 4

Gen^t of y^e Jury you know y^{or} Place & duty, you attend to y^e Law & Evidence, You are y^e Subjects Preuiledge, his Maj^{ste} desires not y^e Extreimity of Law or euidence to be improued against (but all just^t fauor to) his Loyall Subject. I am Indict^d for takeing out a Patten, y^t I neuer did, nor is it in my power to doe, nor haue I been y^e p^rson to act Such a thing, nor is ther any Evidence y^t I haue Rec^d Such a thing as a Patten Or Co^mission but heresayd to Something relateing to So^me wrighting or Co^mission but how Limete^d to y^e time, or other Condicions no man Saw nor red Such a thing, but in Some part, as one Ses, Good Sweet, whome I would he were here to cleer & Explaine himself. & no one

Evidences, w^t this wrighting was from y^e authority of New York, that it had y^e Seal, or ani Confirmacion of y^t Govern^t they besides, are Single Evidences; But were thes Evidences full & clear, as they are not, that I had (vppon demand of authority) by virtue of a Patten from his Maj^{tie}, makeing the first demand of mee, Rec^d or accept^d of a Patten, to Subject to y^e Kings authority this distinct Place & Iseland, no man Evidence, that I haue Subjected it, nor haue I don any act, nor is ther ani evidence y^t I haue, nor is y^t ani evidence y^t I haue in any measure or way Contemne^d authority. Nor was thee Claime of this Jurisdiction Ever made to mee till now, notwithstanding I constantly & all wayes refused to pay Rates, demanding by what authority It did appere y^t I was obligee^d therto. & for m^r Bostons Saying I desired him Exicution migh^t not proceed, I did only desire it might proceed then Vppon Som Estate migh^t apper of mine In the Towne, to Saue chargees of officers going over If y^t hee would take it And to yo^r Law, which I neuor heard er now, touching any inhabitants Subjecting his Landes, I neuor was acquainted with Yor Law, nor was an jnhabitan^t, or ffreeman or so looked vppon y^t I know, nor euor had warning or notis Since I was (for about 15 yeers) concearnd in y^e Iseland of anj apperance, or Towne, or Collonyes Concerne In this Jurisdiction. & an Iseland so remote as y^t Is, I may Refer itt to all Reasonable men how I can be reputed a breaker of the Law, or Contemneur of an authority which as often as I haue been at this Iseland did neuor desire mee to Submit to this authority by ther Patten deriued to y^m from the King^e, nor neuor sent officer to Proclaim y^r authority on y^e Iseland, or declare mee to be vnder them, or warne mee off y^e Iseland to appere at ani time or jn ani place or Publiq meeting to be Informed thereof. & let it not bee offensiue If I remind you Gent [that] as I haue neuor heard

Col. MSS.
22:139
(NYSL)

1672
Oct. 29
and
Nov. 4

Col. MSS.
22:139
(NYSL)

1672
Oct. 29
and
Nov. 4

of ani Law to condemne a man tha[t is] but passiuē, and
no wise actiue, for haueing a wrighting & Com̃ission in
his hand If it were taken for good w^t Evidences haue Sayd;
That on y^e Contrary ther is Law to Cleer mee. for in the
next Artickle In the [Pa]tten to that of y^e boundaries as I
humblely doe conceiue his Maj^{ty} of If hee had foreseen
Some differences likely to arrise between this & his other
Colonyes doth graciously of his Paternall care preuent this
Colonyes assumeing ther Power In away of Violence or to
the Oppression of his Subjects by his Express Will & Pleasure
Signifying to this Colony That that Shall bee ther way of
Proceed In matters of a Publiq^z Concearne y^t hath relation
to any of his other Collonyes that they appeal to himself
for a Redress This Is a matter of a Publique Concearne not
my private difference I desire & shall Indeavo^r a Compliance

Jn^o Paine

In Court deliuerd y^e 29 of Octob^r 1672. a true Coppie as
attes^{ts} Jn^o Samford Record^r

This was putt in to Court after
dinnor. & in y^e Place of the other
Paper by mee Collected where
ther is y^e mark  in y^e Marjen^t

Hon^d S^r

I haue wrott half a Letter more must reffer you to the
next appertunity which I expect wil be Cap^t bedlo In a few
days by home I hope to giue you better sattisfaction of yo^r
more p^ticuler bisnes I humbley Kiss yo^r hand

& Subscribe S^r yo^r ffaithfull
Serv^t Jn^o Paine

Prudence Iseland N^o y^e 4th 1672

[Trial of John Paine.]

Col. MSS.
22:139
(NYSL)Right Hono:^{tbl}

I could not in duty Omit this my first Opertunity^e to acquaint yo^r hon^r with the Courts proceeds against mee ¹⁶⁷² [November] at Newport. In the Las^t you had account^t of ther binding me over to y^e Court & a Copie of my charge & my bond the next is my Indictm^t,

I Indict Jn^o Paine of Boston March^t for y^t y^e S^d Jn^o Paine hath pcure^d a Patten fro^m y^e Govern^t of New York for Pruden[c]e Iseland being a part of this Colony which act of his is against the hon^r Crowne & dignity of his Maj^{tye} & absolutely against his Maj^{tye} gracios Grant in his Letters Patten to this Collony & also a hig^h Contemp^t of y^e authority^e of this Colony. Edw^d Richman Gen^{tl} Solicetor

Dated at a Court of tryalls held at Newpor^t Octo^r 23: 72. ^{Pl^t forsw^r y^t the Gent^l of}

Attest^d by Jn^o Samford Recorder. Liberty of Paines ^{ye Jury are} excep^t against y^e Jury Record^t the s^d m^r Jn^o Paine being ^{Straners} bound to y^e Court apperes & the Indictm^t & charge to him ^{I except} being red & asked Gilty or no^t Gilty Pleades not Gilty: the ^{against none} Dep^t Gov^r & m^r Attorneys, Speech, & pleas^r against Jn^o Paine & his answ^{rs} as he hath to y^e best of his vnderstandeing Collected. M^t Paine wee Looke at you as a quiet & In-
genuos p^rson & beleue you haue don this as being Ignorant here the Law, Recor^{dr} the Gen^{tl} Court of Co^mission^{rs} held for y^e Collony at warwick Novem^r 2^d 1658. To preuent Inouacion in y^e Govern^t & libertyes of the Collony from forraigne Power, it is ordered That If ani p^rson in this Collony doe putt his or ani part thereof y^t are within this Collonyes boundes vnder the Govern^t of ani other jursidiction, or doe indeauor actually to bring on any forraighne Power to Governe in any part or parts of this Collonjes precincts, the Penalty for either of thes offences affores^d shall be that y^e offender shall forfeit all his Landes & Estate to the Col-

Col. MSS. lony^e The jury haue not yo^r case & If y^t you acknowledg^e
 22:139 yower Ignorance & Subject you shal haue w^t fauor may be.
 (NYSL) Paine I doe acknowledge my jgnorance. I neuor knew any
 1672 of y^e Lawes of this Collony neither haue I been Concerned
 [November] with them or with y^e Patten of this Collony m^r Boston one
 of y^e hon^r bench answer^d y^t about 3 yeers Since giuing him
 a Vissit I desired y^t a Rate w^{ch} y^e Towne of Portsmouth had
 lay'd vppon mee, migh^t be forborne & I Answr^d his worship
 had forgot y^e passag^e, I gaue him a vissit & after Other
 discorse desired that ther might be a little Suspending^e of
 the officers being Sent to y^e Iseland to take it ther & to Saue
 my great damage y^t woold therby accrew I woold ord^r
 Som notis to be giuen y^m or shoold haue Some Estate of
 mine in Rhode jseland which they migh^t Laye hould of
 if they woold take it. M^r Boston owneed thes were the
 words as nere as he coold remember or to this same purpose.
 it was replied In Cour^t y^e ther was Rates Several times
 payed by mee I answer^d I had neuor paid ani but alwayes
 refuseed & had [d]emande[d] by w^t authority^e I was obliged
 to pay any, but neuo^r was Informed & did then In Court
 call Jn^o Smith & W^m Allin wh[o] had liued vppon Prudence
 (longer then from ther firs^t demandes of Rates) as my
 Tenants to testyfy that I neuor payd to ther Knowledge any
 Rate but being Informed of the demandes, did order y^m
 all wayes, (& forwarne y^m) to pay anything Excep^t they
 took it by Authority, for I knew no Reason of ther demand,
 nor y^t I was Concern^d with y^e Collony anywise. the Bound-
 aries of y^e Collonj are here vppon caused to be red w^{ch}
 when I heard I did redyly acknowledg^e y^t that Patten as
 it did by its Gen^l boundaries comprehend (excep^t ffishers
 Iseland) all Iselands Inclusiuely within such limetts So it
 jncluded this. M^r Attorney Gen^l Pleades to y^e Patten to
 y^e Law of y^e Collony before Recited, to my breach thereof

and contemp^t therby & the Penalty. I Plead^d Ignoran^{ce} Col. MSS.
of y^e Laws of this Collony^e of the Patten, & of being Con- 22:139
cearne^d In Either — Dep^t Gov^r If you haue yo^r Answ^r in (NYSL)
wrighting you may giue it in. I Answ^r If it may Pleas y^e 1672
Cour^t I haue Collect^d w^t I apprehen^d Sutable to help my [November]
memorie, & saue time, but it is a Ruff draft blotted & inter-
line^d I shal soon draw it ou^t If y^e Cour^t Pleas. [L]^t Gov^r
y^e Court hath no other bisnes now it wil hind^r y^e Cun[try]
JP: Plead^s, & urges it, as a part of the essence of a Law, y^t
a[l]though Expressed to be made & in acted by Legal author-
ity & written yet is no act or Law or hath y^e Force of a Law
vntil Promulgacion or Proclamacion & as Proclamacion is
an Inseperable adjunct & part y^e Essense of a Law, so are
time Place & Proclamacion Inseperable Adjuncts & p^t
of y^e Essense of a Patten or Co^mission y^t giues y^m being &
without which they are but ded wrightings but I haue not
Proclaimed any Power neither haue I acted by any nor is
ther euidence y^t I haue don it. I haue been Passiue as a
Priuate p^rson y^t must Obay & shall to home I stand most
justly Obligeed & for Contemp^t of this authority^e I caⁿot
charge my Self with it It were ill becoming a Gent: or ani
p^rson of Co^mon Reason or Educacion to contemne authority
I acknowledg^e his Maj^{ties} authority to be of a more Sacred
nature then to Contemne it. Dep^t Gov^r You herein owne
not yo^r Subjection to y^s Jurisdiction I am a Priuate
Person, & passiue, it is not my duty to d[ete]rmine y^e Right
of Jurisdictions for anj difference of y^t nature [a]pprehended
as adveaning it is of a Publiq^u Concearne a differenc[e]
beetween y^s Collony & y^e Collony of New York, not mine,
or in my [sa]yd Power to Resolue or Issue, I can but be
passiue & doe desire y^r [sh^d] bee a Composure. Dep^t Gov^r
Record^r Read y^e oath or Ingagem^t [as] S^d [in] y^e Law of this
Collony: Paines demand^d If he wil take it Answrs [I a]cknowl-

Col. MSS. edge my Loyalty to his Maj^{ty} & to his Lawes freely & can
 22: 139 freely take this Ingagem^t here prescribēd with this caution
 (NYSL) that it prejudiceth not me or my Conecarnes in ani other
 1672
 [November] of his Maj^{ties} Collonyes, though I am no jnhabiten^t or free
 man here. No Prouiso Is admitted. So furd^r addes. I
 haueing heard that Seuerall Collonyes demand's Prudence
 Iseland vnder y^e Generall name of an Iseland by ther Patten
 boundaries & it haueing been Demanded first by virtue of
 his Royall highnes y^e Duke of Yorkes Patten which was
 in part red to mee & y^e Patten shew^d mee to reed jn which
 Patten his Maj^{ty} hath Graciosly Confirm^d the Lord Starlins
 Patten & right's allso which are y^e most antient of thes
 Collonyes & takes in all Iselands in Gen^t allso, to y^e west-
 ward of Capeod, not nameed. I doe not See how I can
 Reasonably or Safely act furd^r but rest passiue. Dep^t
 Gov^r haue you been Comāded or Obligeed before now, to
 act by y^t or ani other Power, or to y^t purpose. A. then I
 haue disobay^d & I woold not willingly bee disobedien^t to
 ani authority deriued from his Maj^{ty} Dep^t Gov^r you haue
 great fauor, & freedom to plead I acknowlege ani fauor of
 y^e hon^r^d Court. the Court adjornes for an howre til after
 dinnor. The Court is Sett, Paine, apperes, offers wh[at hee]
 hath drawne up for y^e Jury, y^t red it is deliuerd y^e Jury.
 the [Jury] deliuers ther verdict Guilty. y^e Court demands
 haueyou anithing furd^r to propose. Paine. I desire y^e hon^r^d
 Courts Charitable thoughts of mee I think it not So good
 Sattisfaction to y^e Court or So just or hono^r^{ble} for mee since
 the jury hath passed & I may make no furd^r Plea to my
 Indictm^t that I add to what I haue Sayd vntil the Court hath
 passe^d ther sentance but that with all Submissiuenes I owne
 authority & Shall Indeauro^r w^t lyeth in me to doe or propose.
 Dep^t Gov^r the Court shews you all y^e fauor & preuiledg^e is
 Sutable &c and you may take yo^r Liberty vppon y^o^r Promise

to apper on y^e forth or fifth day wee Suppose you to valew Col. MSS.
 yor word doe you promise apperance. I doe promise to 22: 139
 appere & I valew my word more then a bond (NYSL)
 On the fifth day y^e Court Setts. Paine called apperes, the Sentence is Red. 1672
 The Court doe Pass y^r Judgem^t y^t in This case m^r Jn^o Paine [November]
 hath transgressed y^e Law of this Collony & doe Sentence
 him accordingly Only Doe suspend y^e Exicution vntil y^e
 Generall Court of Tryalls in May next at Newpo^{rt}
 Jn^o Samford Record^r

y^e Court Expreseth y^r fauorable dealing & make no
 funder demands of Paine. Paine An^{rs} I acknowledg^e y^e
 Courts Respects & favor & y^t they haue delt wisely in
 giueing this Oppertunity for a Composure of this difference
 which I shall Indeaour hartyly. this Answ^r was well Rec^d
 & Paine took leaue of y^e Cour^t

Addressed:

To the Right hono^{rl}e Frances
 Lovelace Gov^r in Genera^l
 of his R: Highneses
 Teritoris Jn America

P^r m^r Jn^o Browne
 Q. D

Endorsed:

M^r Paines ĩre
 & narraçõn at
 large to the Go-
 vorno^r about his
 Tryall at Rhode
 Island. in
 Oct^r or Nov^r 1672

G. E.
4:267
(NYSL)

Łre from y^e Governo^r to M^r Holmes of Rhode Island.

M^r Holmes.

1672/3
Mar. 10

I receiv'd yo^r kinde Letter by M^r Barker, & y^e same good Wishes you sent mee, I returne to yo^r selfe the like, if God please to accept of them. You may bee certaine that I shall not bee wanting to you for a Lott on Staten Island, but withall you must bee contented as both yo^r Son & others are; you will perhaps smile when I shall tell you I may see you this Spring at Road Island; & truly if my Purposes bee not interrupted by any publick Affayre, I intend to visitt those parts I have lately assumd under his R: H^s Protection; that is, Martins Vineyard, & Nantuckett. for Prudence, though absolutely tis compriz'd under his R: H^s Patent, yet I will not soe asperously press it without a Calme Discourse wth the Patentees of Rhode-Island, and after that too, fairely to referr it home to his Mā^t^{ie} on his Royall Highness behalfe; In the meane time tis an Astonishment to mee to see the Proceedings soe sharply prosecuted by those in Authority wth you against Mr Paine, knowing that in a Case disputable, the inferiour must submitt to the Determinations of those above him. In the Interim I desire only to bee understood as one whom his Duty obliges to assert his Masters Interest, & that not frowardly but peaceably & amicably, knowing that my Results at best are noe more valid then as they receive Approbation from my Royall Master. I have noe more at this time, the Opportunity of the departing of the Vessell not suffering me to launch on further. I only have time to wish you length of dayes & happy ones, & an Assurance that I am

Yo^r Loving Friend

Fr: Louelace

Fort James Mar
y^e 10th 1672.

No. LXXIX.

WAR DECLARED WITH HOLLAND.

New England to proclaime the Warr.¹

(NYSL)

Charles R

Trusty and Well beloved Wee Greet You well. Haveinge found Our Selfe Oblidged for the just Vindication of the antient and undoubted Rights of Our Crowne, and for reparation as well of the many affronts and indigneties done to Our Royall person and dignety, as of the frequent wrongs and injuries done to Our Subjects by the States Generall of the United Provinces to declare Warr against them, Wee have thought good hereby to give you Knowlidge thereof Willinge you forthwith upon Receipt hereof in the ussiall manner to cause the said Warr to be proclamed within that Our Collony accordinge to Our declaration (Copies of which Wee have directed to be herewith Sent you) and that at the Same time you cause Seizure to be made of all Shippes goods and Merchantdizes belonginge to the Said States Gener^{ll} or their Subjects. And because Wee have reason to beleive from the Constant evill minde they have been alwaies knowne to beare to Our fforreigne Collonys and Plantations, and haveing lickewise understood that a Considerable Number of Privet men of warr, are now prepareinge in Holland and Zealand to be forthwith Sent into the West Indyes to infest and annoy Our Plantations there, Wee thought

1672
Apr. 3

¹ The file copy of this document is lacking in the archives of New York, hence this text is presented from a Massachusetts copy, now in the New York State Library.

(NYSL) fitt Out of Our Princely Care and Regard to the Safety of
1672 these remote Parts of Our Dominions, and for the Secureinge
Apr. 3 of Our good Subjects Inhabitinge there, or tradinge thither,
to reco^mend it to you, as Wee doe by these very perticku-
larly forth-with to apply your Selves jointly to Consider of
the Condition thereof and by all the Speediest and most
effectuall meanes you can early to provide for its Safety
and defence, and for the Protection and Security of Such
Shipps and Vessalls as Shall be from time to time Rideinge
in the Roades and Harbo^{rs} there, from the Assaults &
attempts of the Dutch. And pertickularly Wee thinke fitt
to repeate Our former Orders to you, that all Such Shipps
which Shall come thence be Enjoined to Saile in Considerable
Numbers for their Co^mon Securety, and that then and even
dureing their Stay there it will be fitt Some of the most
Experienced officers have Authorety given them to Comand
the rest Wee have thought fitt hereby to Authorize & em-
power you to doe therein, what accordinge to this or any
other emergencies Shall apeere to you to be most for the
Safety of Our Collony, and Navigation of our Merchants,
and further that in all other Matters Relateinge to the Juris-
diction of Our Most Deare Brother the Duke of Yorke Our
High Admirall &c. you Observe such Orders and directions
as you Shall from time to time Receive from him, whome
Wee have Co^missionated to grant Letters of Marque and
Generall Reprissalls against the Shipps goods, and Subjects
of the States of the United Provinces, Conformable to which
Our Will and Pleasure is, that you take and Seize the Shipps
vessells, and goods belonginge to the Said States or any their
Subjects or Inhabitants within any their Territories, and to
bringe the Same to Judgment and Condemnation accord.
to the Cource of Admiraltie and lawes of Nations. And
these Our Letters that You Co^municate to the rest of Our

Collonys Your Neighbours, Our Pleasure beinge that with (NYSL)
 all care and applycation possible they arme them selves
 against the Dangers which threaten them in this Coniuncture
 from Such an enemy, and proceed accordinge to these Our
 directions, and Such as they Shall receive from Our Said
 deare Brother, assureinge them and all our Loveinge Sub-
 jects in those parts, that Wee shall not be wantinge on our
 Part, on all occassions to helpe, and Succour them to the
 Vtmost of Our Power and to Contribute all possible meanes
 for the Security and improvement of the trade and Coĩmerce,
 and Soe Wee bid you farewell. Given at Our Court at
 White Hall the 3^d day of Aprill in the 24 yeare of Our Reigne
 By his Maj^{ties} Coĩmand
 Ahlington¹

These

ffor our Trusty and Well beloved the Governo^r
 and Councill for Our Collony of the Massachusetts
 To
 Bee Coĩmunicated to the Other Collonys there

Endorsed:

Copie of his magisties
 Letter about y^e dutch war
 to be pclaimed &c dated
 y^e 24th yeer of his magisties
 raigne, y^e 3^d of Aprill

[Lovelace to Winthrop.]

Forte James y^e 26th June 1672.

Deare S^r

I rec^d 2 Lett^{rs} lately from yo^u of May 2^d & June y^e 17th
 together wth his Mā^{ties} Declaraçons, & severall Gazetts,

¹ Arlington.

G. E.
 4:148
 (NYSL)

1672
 June 26

G. E.
4:148
(NYSL)

1672
June 26

for all w^{ch} I must acknowledge my selfe yo^r obsequious Debto^r; the Substance of most of it had arriv'd mee before, only I very much long'd to have a Sight of his M^a^{ties} Declara^{ti}on against the Hollander, in regard I beleieve upon that p^rsumption the Govern^r of Boston caus'd open Warr to bee proclaim'd against the Dutch, I must confess I am not skilld enough to determine whether it bee proper, on a Declara^{ti}on only to use y^e fformality of denouncing Warr; Proclama^{ti}ons (w^{ch} allwayes are accompanied wth Directions to y^e particular Offic^{rs} to putt what is therein specifyed into Execution) have been y^e practicable way; soe that being a little in Doubt I have suspended y^e formality till either I receive Advertisem^{ts} from England (w^{ch} I dayly expect) or till by y^e practice of our Neighbo^{rs} they resolve my Doubts, of w^{ch} I principally desire yo^r Opinion.

By Lett^{rs} I receiv'd from Holland I am assur'd of the seizure of all our Vessells, that were unfortunatly in their Portes being 4 in Number, viz^t my ship y^e Fame, M^r Delavalls y^e Margaret, M^r Stenwijck y^e James, & Fredrick Philips the ffredrick; They are as yett but under an Arrest, being not proceeded soe farr as to a Confisca^{ti}on; Wee hope y^e 32 Article of Agreem^t at Breda, will secure us, there being a particular Provision made against y^e Inconveniency of a suddaine Rupture by allowing all Subjects 6 Months Liberty to withdraw their Estates after a Stroak is strook; However wee must attend wth Patience. About a ffortnight hence here is a very good Ketch design'd for England, w^{ch} I shall dispatch with a Pacquett to his M^a^{tie} & my R. Mast^r; I thought good to advertize you of it, that soe (if you were desirous to send) you might finde a suddaine Opportunity.

S^r there is 4 Persons within 2 dayes runn away from hence, the one is a Covenanted Servant to M^r Garland (who brings you this, the other is deboysted away by y^e rest, being my

own Cook, Isaack Ratt by Name, who is notoriously marked haveing the use butt of one hand, y^e left being splitt in two, hee is of a light brown Hayre, & in gray Cloaths, but tis possible hee may change them, for hee had Variety; If hee happen in yo^r Jurisdiction (as hee is gone that way in a Canoo, pray lett them bee stopt & sent back, & I (will wth thanks,) satisfy what Cost shall arise on it.

G. E.
4: 148
(NYSL)

1672
June 26

Truly S^r if there bee not some severer Course practiz'd, Mast^{rs} will neither bee able to keep their Serv^{ts}, nor Offic^{rs} their Souldyers. I can reckon 9 or 10 of our Souldyers that lye lurking in your parts, though I am very well assur'd wthout yo^r Privity. Pray assist mee to yo^r power at this time in my Cooke, & you will lay an Obligation on mee to acknowledge my selfe

Yo^r affe^{ate} Servant

Fran: Louelace.

To y^e Hon^{ble} John
Winthrop Esq^r Govern^r
of his Ma^{ties} Colony
of Connecticott.

Letter to S^r Jn^o Heyden K^t Governo^r
of his M^{ties} Island Bormoodos.

G. E.
4: 167
(NYSL)

S^r

Not only my naturall desire of p^rserving a Correspondence wth you is alone the Subject of this Letter, but haveing an Obliga^{on} of a more transcendent nature on mee, w^{ch} is his sacred M^{ties} Commands, who by a particular Letter has been pleas'd to Declare his Will & Pleasure, that I should make a Publica^{on} of a Warr between him & y^e States of y^e Vnited Provinces, withall that I should take Care that these his Determina^{ons} should bee communicated to y^e rest of the

[1672]
July 1

¹ This recorded copy of the letter is not dated, but from its position in the volume appears to belong between July 16 and 18, 1672.

G. E.
4: 167
(NYSL)

[1672
July]

Neighbouring Governo^{rs} of any of his Mā^{ties} Colonyes in America, to the end his Mā^{ties} Commands may bee solemnly observ'd, I have taken this Opportunity to advertize you thereof, and withall sent you here his Declaration, w^{ch} I have proclaim'd as y^e Bearer hereof M^r Reyton more particularly can relate, whom since I have mençoned by Name, I cannot slipp my Penn without that just & worthy Character hee merited dureing his Abode in these parts, who being on his returne to you againe leaves us doubly aggrievd, first for his Loss, next that this unhospitable Soyle had noe allurement to prompt him to a Cohabitation with us.

By a Ship that arriv'd here from Fyall, y^e Master confidently averrs of a Peace between his Mā^{tie} & y^e Dutch, y^e Intelligence being brought thither by an Eminent Co^mander (next in Dignity to y^e Governo^r) who brought it from Lisbon & was not 14 dayes under way, soe that it may now amount to neare two Months I p^rsume this is as fresh Newes as co^monly can bee expected from Europe, & soe probably true; w^{ch} God grant as a means to stop that Effusion of Christian Blood y^e brandisht Sword is now like to draw. S^r I have nothing more worthy to present you with at this time, only to assure you on all Occasions you shall finde mee.

S^r.

Yo^r very much affectionate
and humble Servant

Fr: Louelace

G. E.
4: 170
(NYSL)

Instructions for Cap^t De-Lavall & M^r Steen-
wijck, at their goinge for Albany July y^e
18th. 1672.

Gentlemen.

1672
July 18

Forasmuch as you are sufficiently acquainted wth his
Mā^{ties} Resoluçons of prosecuting a Warr wth y^e States of y^e

vnited Provinces, as appeares both by his Publisht Declara-
cion, & likewise by his particular Lett^{rs} directed to mee to
bee communicated to you, w^{ch} said Letters & Declaration
you shall carry along wth you for your better Guidance &
Instruction, You are in the first Place after yo^r Arrivall to
cause y^e said Declaration to bee solemnly proclaym'd, by
what fformality you shall conceive to bee most effectuall
according to his M^{ties} Intention & good Pleasure.

You are likewise to see that y^e Forte and Militia bee putt
in that posture as may best secure themselves against the
Attempts of any Enemyes to his sacred M^{tie} & his Royall
Highness either publick or private.

If you finde their ffeares too great, you may assure them
an Expedient shall bee propounded, as will infallibly
secure their Doubts by locking up y^e River soe, that noe
fforce shall bee able to attack them; to that end I propound
this; In my Travailes I have observ'd (w^{ch} I desire you
to take a more strict observation of y^e Scituation as you pass
that way) at Antonio's Nose upon the West Coast there is in
a Corner a Piece of Ground well water'd, low, & very strong
by nature, where if a Block-house were but erected, & a
Breast worke cast up to make a Battery, & but 4 Gunns
planted there, It would stop y^e Passage of any Vessell or
Vessells from passing up the River, y^e place lyes in an Angle
w^{ch} y^e Stream makes there, & y^e Current setts on that Shore,
within less then halfe Pistoll Shott; This fforte being supplied
but with a douzen Men from Albany & Esopus to manage
y^e Gunns & to afford some small shott, must of necessity
give a Stopp to any Vessell from attempting their Designe,
if this bee not thought a proper Place, any other may bee
pitcht on on y^e East side of the River in the High Lands;
Provided y^e Scituation bee naturally low & capable to Erect
a Battery & well water'd.

G. E.
4: 170
(NYSL)

1672
July 18

G. E.
4: 170
(NYSL)

1672
July 18

You are to use yo^r best skill and Industry to bring the Inhabitants to a compliance to a voluntary Contribution towards y^e Reparaçon of this fforte their Mother & greatest Concerne, & you are to acquaint them of y^e readyness of these parts & what Diligence is used to compleat the same.

You are to call for the Ord^{rs} made when wee were last there, & to see what is executed, & if any thing happen anēw to heare and determine it.

What is here directed for Albany you may cōmunicate to the Esopus, still leaving the manner & method to your prudent Determination.

Lastly as soon as conveniently you can dispatch yo^r Af-fayres both publick & private I shall desire yo^r speedy Returne to mee againe, you well knowing how much I am destitute in your Absence of any helps, And soe God send you a prosperous Journev & Returne.

[Francis Lovelace.]

G. E.
4: 181
(NYSL)

Warrant to Cap^t Salisbury to make seizure
of all Dutch Goods & Estates at Albany.

1672
July 18

These are to Authorize & appoint you that wth all convenient Expedition after his Mā^{ties} Declaraçon of Warr against the States Gen^{all} of Holland shall bee proclaymed at Albany according to the Directions in the said Declaration sett forth, you seize upon and secure soe much of the Goods, Chattells, and Effects belonging to any of the Subjects of the said States as is in the hands of any of the Inhabitants at Albany or parts adjacent, and that you render mee an Acco^t thereof, soe that farther Order may bee taken therein, & for soe doeing this shall bee your Warrant. Given under

my Hand at fforte James in New Yorke this 18th day of
July 1672.

G. E.
4: 181
(NYSL)

[Francis Lovelace.]

To Cap^t Silvester
Salisbury. These.

1672
July 18

Lett^r from y^e Governo^r to y^e Offic^{rs} of
y^e Militia upon Long-Island.

G. E.
4: 187
(NYSL)

Gent.

Having an Assurance of yo^r great Care and Vigilance for
the p^rserva^on of the peace & safety of the Countrey in yo^r
severall p^rcincts, I thought to have freed you from the trouble
of this Letter, since soe lately you have by publick Proc-
lamation been advertiz'd of y^e great Revolu^ons now in
Europe, & his M^at^{ies} Gracious & Paternall Advice to us
how wee should comport our selves now in these boysterous
times, wherein great part of Christendom is engag'd in Arms;
To y^e end therefore that his M^at^{ies} Princely care of us may
bee return'd by all due Obedience to his Royall Will &
Pleasure, You are to follow these Directions.

1672
July 28

First, That you make an Exact View of y^e Ability of all
Persons that are able to beare Arms according to the quali-
fica^ons specified in the Booke of Lawes.

Next, That an Offic^r bee appointed to view their Armes
at their Houses, (there being great Deceipt practiz'd at
Musters in borrowing of Arms) & to see that they bee well
fixt, wth a proportion of one pound of Powder at least, &
two pound of Shott.

Lastly, That y^e severall respective Command^{rs} draw out
their Companies to Exercize, & that a due Watch bee
Establisht to give notice of the Approach of any Enemy if
it should soe happen.

These things being duely observ'd by you (of w^{ch} I expect

G. E.
4: 187
(NYSL)
1672
July 28

a due and speedy Acco^t I question not but to render a good Accompt of yo^r safety to our Royall Master, who will bee well pleasd to heare of your readyness to oppose y^e Enemyes of our Nation, in w^{ch} honourable Vndertaking hee is already soe deeply engag'd. Thus having noe more to recommend at present to you, I take Leave of you, & bidd you heartily ffarewell.

Yo^r assured Friend.

Fran: Louelace.

Forte James y^e 28. July
1672.

To y^e Justices of y^e Peace, of the East, North, & West Ridings of Yorkshire upon Long Island, to bee communicated to y^e Captains, & other Offic^{rs} of y^e Militia, within their Precincts.

G. E.
4: 192
(NYSL)

A Warrant directed to Cap^t Nicolls concerning the Militia of Horse upon Long Island.

1672
[August?]

Whereas in this time of Warr, It is requisite that the Militia both of Horse & ffoot should bee carefully lookt after, soe that upon any emergent Occasion they may bee in a readyness for immediate Service, These are to require you, that you give Ord^r to yo^r inferiour Offic^{rs} That they make Enquiry how y^e Troopers under your Command are fitted & provided; And that some time the next month you cause them to meet together at a convenient Rendezvous upon Long Island; giving them charge to appeare wth able Horses, Armes well fixt, & ffurniture thereunto belonging, wth a convenient proporcon of Ammunition, and that you render mee an Accompt in what posture they are; And for

soe doing This shall bee your Warrant. Given under my
hand this [blank] day of [blank] 1672.

G. E.
4: 192
(NYSL)

[Francis Lovelace.]

To Cap^t Matthias Nicolls.
These.

1672
[August?]

Commission granted to Cap^t Salisbury & others,
empowering them to seize upon all Goods or
Merchandize appertaining to any of the
States Gen^{all} of y^e Vnited Provinces.

G. E.
4: 227
(NYSL)

Whereas in Obedience to his Mā^{ties} Declaraçõn, wherein
it is expressly enjoyned that y^e Goods & Effects of the Sub-
jects of y^e States Gen^{all} of y^e united Provinces in any part
of his Mā^{ties} Dominions should bee seized upon & secured,
I did issue forth an Ord^r to Cap^t Salisbury commanding
him to see y^e Contents of the said Declaraçõn putt in Execu-
tion at Albany & parts adjacent, the w^{ch} in part hath been
there already done by him; To the end that y^e true Intent
& Meaning of his Mā^{tes} Declaration may bee more effectually
prosecuted, & that what Estate soever more there can
bee made appeare really & bonâ fide to belong unto
the Subjects of the States Generall afores^d now in Open
Warr & Hostility wth his Mā^{tie} may bee secured, I have
thought fitt to nominate, constitute, & appoint, & by these
p^rsents doe hereby nominate, Constitute, & Appoint Cap^t
Silvester Salisbury [blank space for additional names] to
bee Commissioners(of y^e w^{ch} Cap^t Salisbury to bee Presi-
dent & have a double Voice) to make Enquiry & In-
spection into all such Estates, & the same to secure in the
hands of the persons wth whom they shall bee found, not
to bee disposed of untill his Mā^{ties} or his Royall Highness
his Pleasure shall bee farther known therein, & that any two

1672
Oct. 25

G. E.
4:227
(NYSL)

1672
Oct. 25

of y^e Commission^{rs}, the President being one, or three of the others in his Absence shall bee a Quorum to Act by vertue of this Commission; Hereby giving unto y^e said Commission^{rs} Liberty to Administer an Oath unto any person or persons for y^e clearing & discovery of the truth (w^{ch} Oath they are hereby empowered to give) & all other lawfull Act & Things to doe in prosecution of this my Commission, for the w^{ch} this shall bee to them or any of them a sufficient Warrant & Discharge. Given under my Hand & Sealed wth the Seale of y^e Colony this 25th day of Octob^r in y^e 24th yeare of his Mā^{ties} Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

No. LXXX.

SCHENECTADY — TRADING WITH INDIANS.

G. E.
4:84
(NYSL)

1671/2
Jan. 9

An Ord^r prohibiting handling wth the
Indyans at Schanechtide &c:

Whereas It hath not been found convenient that y^e Trade of Handling wth y^e Indyans at Schanechtide should bee permitted or tolerated, for that it may prove a great p^rjudice to y^e Towne of Albany; And Complaint haveing been made unto mee, That diverse small Partyes of Indyans doe come privately to Schanechtide, wth whom diverse of y^e place doe p^rsume to Trade & handle, notwithstanding y^e severall Ord^{rs} to y^e Contrary; ffor y^e p^rvention whereof for y^e future; These are to Authorize & Empower Capt Sylvester Salisbury Commander of y^e fforte at Albany, & Schout there, & in y^e Places adjacent, as hee shall have Informaçon, or shall see

Cause to make Search & Enquiry in any suspected House
at Schanechtide or parts adjacent, for such Indyan Goods as
are prohibited to bee handled there; And that hee bring the
Transgresso^{rs} to condigne punishm^t; ffor y^e doeing whereof
This shall bee unto him a sufficient Warrant. Given &c:
this 9th day of January 1671.

G. E.
4: 84
(NYSL)

1671/2
Jan. 9

ffran: Lovelace

To Cap^t Sylvest^r Salisbury
Co^mmand^r of y^e fforte, &
Schout at Albany.

No. LXXXI.

MAMARONECK — JOHN RICHBELL AND HIS
TENANTS.

An Ord^r about M^r Richbell, & Jeremy Canniff,
for composing y^e Difference between them.

G. E.
4: 174
(NYSL)

Whereas I am given to understand, that great Contest &
Contention is arisen amongst y^e Inhabitants upon y^e Plan-
taçons at Momoronock belonging to M^r Jn^o Richbell, occa-
sioned principally by one Jeremiah Canniff & Anne his Wife
his Tenants, who likewise (as is alledged) have very abusively
defamed him & his ffamily, & y^e said M^r Richbell haveing
requested that I would send some Persons of Repute &
Authority to enquire & examine into y^e Matt^r upon y^e Place
& if possible to compose their Difference; These are to
Authorize & Appoint you Thomas Lovelace Esq^r one of y^e

1672
July 22

G. E.
4: 174
(NYSL)
1672
July 22

Justices of the peace, Cap^t Jn^o Manning High Sherrieff, & M^r Jn^o Rider at yo^r best convenience wthin one Months time after y^e Date hereof to repayre to y^e said Plantaçons at Momoronock there to examine into & take cognizance of the Matt^r & wthall to Endeavour a friendly Composure amongst y^e Inhabitants, Of all w^{ch} you are to render mee an Acco^t at your Returne, that a finall Issue & Conclusion of y^e Busyness may bee made; And for soe doeing this shall bee your Warrant. Given &c: this 22th July 1672.

[Francis Lovelace.]

No. LXXXII.

FORDHAM MANOR — DISTURBANCE LED BY
JOHN PIETERSEN.

G. E.
4: 166
(NYSL)

An Ord^r about a Difference between
y^e Inhabit^{ts} of ffordham.

1672
July 10

Whereas I am given to understand that some Disturbance is arisen amongst the Inhabitants of ffordham, occasioned (as is alledged) principally by John Peitersen. These are to Authorize M^r John Rider and M^r Thomas Gibbs, to make Enquiry of & examine into y^e Matter, & endeavour a Composure & right Vnderstanding between them; Of w^{ch} they are to render mee an Acco^t & for what they shall Act herein this shall bee their Warrant. Given &c: this 10th day of July 1672.

[Francis Lovelace.]

No. LXXXIII.

NEWTOWN — DIVORCE OF THOMAS PETITT.

A Bill of Divorce between Thomas Pettit
of Newtowne & Sarah his wife.

G. E.
4:213
(NYSL)

Whereas Sarah y^e wife of Thomas Pettit of Newtowne in y^e West Rideing of Yorkshire upon Long Island was at y^e last Court of Assizes held in this City accused for her defiling the Marriage Bed & committing Adultery wth severall persons; All w^{ch} did soe evidently appeare to this Court that at the Suite of the said Thomas Pettit her Husband that hee might bee divorced from her, the Court did adjudge & thought it reasonable that it should bee granted, & recommended the same unto mee; Vpon due Consideraçon had hereupon, & for the reasons afore specified, It being also conformable to the Lawes of the Government as well as the practice of the civill Law, & the Lawes of our Nation of England in such Cases provided, I doe adjudge & declare upon y^e breach of y^e matrimoniall Contract by the said Sarah the wife, in committing that great Crime of Adultery as aforesaid, That hee the said Thomas Pettit y^e Husband is freed from any farther Obligaçon or Tye of Marriage unto her y^e said Sarah his wife, & hee is hereby pronounced to bee discharged & acquitted from the Matrimoniall Contract heretofore made between them to all Intents & purposes whatsoever; ffor the w^{ch} this p^rsent Writing & recording thereof shall bee an absolute and Authentick Bill of Divorce. Given under my Hand & Sealed wth y^e Seale of the Province this 11th day of October in y^e 24th yeare of his Mā^{ties} Reigne, Annoq̃ Dñi 1672.

1672
Oct. 11

[Francis Lovelace.]

No. LXXXIV.

ALBANY — REPAIRS IN THE FORT.

G. E.
4:210
(NYSL)

Liberty given to Cap^t Salisbury to build
a Kitchin adjoyning to y^e House in y^e
fforte, as hee shall see fitt &c:

1672
Oct. 7

Whereas Cap^t Silvest^r Salisbury hath rep^rsented unto mee
that the House in y^e ffort at Albany stands in great need of
Reparaçon, & that it will bee for y^e future as well as present
Convenience of the chiefe Officer there, that a Kitchin bee
built adjoyning thereunto, It is Ordered, That it bee left to
the Care & Charge of Cap^t Salisbury both for y^e Reparaçon
of the House & building the Kitchin, for the w^{ch} Agreem^t
is to bee made at the best hand, the Charge whereof shall bee
allowed out of the Packt or great Excize there, of w^{ch} hee
is to render mee an Acco^t: Given under my Hand at Fort
James &c: this 7th day of Octob^r 1672.

[Francis Lovelace.]

No. LXXXV.

SOUTHAMPTON — JOHN JENNINGS AND WIL-
LIAM JANE *vs* JOHN COOPER, FOR DEFAMA-
TION OF THE GOVERNMENT.G. E.
4:233
(NYSL)Gen^l.Lett^r to Cap^t Jn^o Howell &c:1672
Nov. 21

I received yo^r Letter of y^e 14th of Novemb^r 1672., the Sub-
ject Matter being an Acco^t of yo^r Proceedings wth the Marris-

shal for his presumption of Administring an Oath, when the Matter appertain'd to the Justices properly; I could not have thought such a Punctilio could have begatt soe much trouble as already it has done & like to doe, especially there being another Affayre twisted wth it, & that is some defamatory words John Cooper should bee accus'd to utter against the Assembly, for the w^{ch} you have carefully & prudently bound over both partyes to answer at the next Sessions; It was a Wonder to mee since Jennings who (it seems) had long intelligence of Coopers carriage in this Affayre, that hee not soe much as ever reveal'd it, when all Partyes were here at y^e last Assizes, where the whole Busyness might thorowly have been scann'd, but to lett it sleep all that time, & only to awake it to make it subservient to his private end, for I learn'd this Eruption should (perhaps) never have appear'd the light, had not Jennings been disoblig'd by Cooper in the refusall of delivering him into the whole possession of a parcell of Land hee had contracted wth him for. In fine, at this time I referr y^e whole Matter in Controversy to yo^r just & prudent Managery, not doubting but you will bee as zealous to preserve the dignity & reputation of those entrusted in the Publick Managem^t of Affayres, as you will have a tender respect for yo^r particular Neighbor. I have taken the Deposition of William Jeanes, soe that now that is authentick, sufficient to validate y^e truth of his Alligaçon & Accusaçon of Cooper, yet withall leave Circumstances to yo^r Justice, as to make a Determinaçon (when you shall see Cause to determine) if it may end in such a Composure, not derogatory to what I have above specified; At yo^r Sessions severall of y^e Councell & Justices of these parts are resolv'd to bee wth you, on Occasions of publick Busyness & private, when that Matter may bee more thoroughly

G. E.
4:233
(NYSL)1672
Nov. 21

G. E. inspected, & those that shall appeare culpable left to suffer
4:233 such penaltyes the Court shall finde fitt.
(NYSL)

¹⁶⁷²
Nov. 21 S^r I have according to yo^r Recommendaçons invested
Jennings in the receipt of the Customes in yo^r parts, &
desire you to assist him in all lawfull helps to the Execuçon
of his Office, if occasion shall present for your Aid.

ffor y^e recommendaçon of yo^r Towne for you to bee con-
tinued in your Office of Justice of the peace for the next
ensueing yeare, I shall most readily consent unto it, & to
that end have sent you yo^r Commission, being very well
satisfyed of the Execution of that trust I reposed in you
this last yeare, & not in the least doubting of yo^r continuance
in the same care of the Publique. I have noe more, only
on all Occasions that shall bee presented to you, to trans-
mitt to mee the State of yo^r Affayres in those parts, that soe
that Vnity may bee preserv'd amongst us, as may best tend
to the peace & prosperity of these his Royall Highness Ter-
ritoryes now under my care & trust, Allwayes remembring
you beare a part of it. Pray recommend mee to all my
ffriends about you, & assure them I shall allwayes continue
soe unless it bee their own faults. I am

Yo^r Loving ffriend

Fran: Lovelace.

Fort James y^e 21th
of Novemb^r 1672.

S^r I had forgott to take notice
of one particular busyness; It seems
Jennings is remoovd from executing
that Office of Deputy Constable ;
for very vallid reasons now too tedious
to rehearse I conceive it requisite, hee
bee continued in that Office till the next
Sessions.

[Lovelace to Captain John Howell.]

G. E.
²⁴⁰
(NYSL)Forte James Novem: y^e 28th 1672.To Cap^t Jn^o Howell Justice of peace of Long Island.S^r

The last I sent to yo^u was in Answer to one of yo^{rs} & M^r Mulfords brought to mee by an unknown hand, & soe was forct to send it by Jennings, by w^{ch} yo^u will finde my sence on that Complaint Jennings seem'd to p^rferr against Cooper; I am very much of yo^r Opinion, that his prosecution of Coop^r may take its rise from private Ends, not that I doe not believe Cooper may bee blamable of untoward Expressions (being a Man naturally not soe well polisht as others of a more gentle nature) but in regard the Matter lay buried soe long wthout y^e least mention of it till the Difference betwixt them both reviv'd it; I have referr'd y^e meritts to yo^r Determina^ons at the Sessions, in w^{ch} I shall desire you to bee a little favourable to Jennings concerning the Oath hee p^rsum'd to Administer wthout yo^r Appointm^t; And I reco^mend this the rather, in regard it will bee a discouragem^t to Publick Vndertakers of Offices, when by their unskillfullness they shall runn into any Premunires. I doubt not but by yo^r Modera^on & Prudence to heare of such a Composure as may end in Love, & y^e p^rservation of ffriendship amongst Neighbo^{rs}.

1672
Nov. 28

Yo^r Brother presses mee for a Determina^on concerning the Regula^on of the Indiyans Affayres, it being discourst of at the Assizes, & referr'd to M^r Delavall for his Advice in it, but hee having ever since been at Albany, & but newly returnd I have not had an Opportunity to discourse it thorowly wth him, & indeed I am the more willing to forbear till I receive some light from you; ffor since y^e Scene of that Affayre lyes properly amongst you I would willingly

G. E.
4: 240
(NYSL)
1672
Nov. 28

reccive some Directions from you before I make a finall Determination in that Affayre; To conclude both Reyner & yo^r Brother seemd on the paym^t of the Townes Benevolence to hint some Privilegdes you expected for that Place; to w^{ch} I can make noe other Answer, but wonder at yo^r impatience, since you have rep^rsented that Affayre (without my Privity) to his Royall Highness to think I can doe any thing without his Direction. I am

Yo^r Affectionate ffriend

Fran: Lovelace.

I understand there is a Vessell design'd for yo^r parts of a very considerable Cargoe; if his Ma^{ties} Offic^{rs} of the Custome shall have Occasion of yo^r Assistance, I doubt not but yo^u will afford it them.

No. LXXXVI.

ALBANY—MURDER OF JOHN STEWARD, OF
THE GARRISON, BY INDIANS.

G. E.
4: 248
(NYSL)

Let^r to Cap^t Salisbury. Jan^{ry} 27th 1672.
about the Murtherers.

Dear Salisbury

1672/3
Jan. 27

The dismall Narrative of Stewards Death affected mee very much, though I was not much out of my Prognostick, that hee would dye some violent death, yet I little thought by the hands of Villanous Infidells; I very well approve of

yo^r care & circumspection in y^e apprehending of them, & am noe less gladd of the Tidings of their apprehension at M^r Pincheon's, to whom (by a monthly Post I have sent up to Boston) I have return'd him hearty thanks for the great Service hee has done in the apprehending of them, whereby the peace of the Nation is soe much concern'd when this comes to you you will with it receive a Commission of Oyer & Termin^t to try them according to Law. M^r Nicolls will furnish you wth a Modell as to the formality of it; It has been resolv'd by mee & the Councell, this way to bee the most effectuall way, because not only consonant to our Lawes & practice, but the Pomp & solemnity commonly strikes as a great a terror in Spectato^rs as to y^e Malefacto^rs; The time of the Courts sitting cannot bee long, & therefore it will bee advantagiously necessary that Cap^t Renslaer draw his Troop together to attend the Solemnity of that day; Commend mee to him & excuse my not writing to him at this time, & desire him to prepare mee two hundred Plancks wth the first, but they must bee good because it is for a Case for my own House; here is little newes stirring, but expect by the returne of the Post from Boston Tidings of considerable consequence; I shall not need to prompt you to bee vigilant in your Station, knowing your aptness to it by experience, only if the Game should shift & wee and Holland shake hands, you then may finde the ffrench a formidable Enemy; but these things cannot bee done in the Dark, & therefore I shall bee vigilant to give you Advertizem^t of all y^e Revolutions that arrive my hand; I have at this time noe more, but commend mee heartily to all our ffrinds, especially yo^r wife, & little ffranck. I assure you I am

Yo^r very Loving ffrind

Fr: Lovelace.

Fort James y^e 27th

Jan^{ry} 1672.

G. E.
4:248
(NYSL)

1672/3
Jan. 27

G. E.
4: 249
(NYSL)

Commission of Oyer & Terminer for the
Tryall of the Murtherers of Jn^o Steward at
ffort Albany.

1672/3
Jan. 28

Whereas not long since his Mā^{ties} peace hath in a very high nature been violated & broken wthin the Jurisdiction of the Towne of Albany, whereby John Steward one of his Mā^{ties} good Subjects hath been assaulted, & by some murderous & violent means done unto Death, & his House also robbed, of the w^{ch} two North Indyan, the one commonly known by y^e name of Kalcop, & t'other Keketampe, now Prison^{rs} in Hold stand suspected & are accused to bee guilty of the same; To the end y^e due course of Justice may in these his Mā^{ties} Dominions and Territoryes bee equally & duely prosecuted according to Law, from the w^{ch} neither Indyan nor Christian is to bee exempt, but are accomptable to Authority for the Breach thereof. I have thought fitt to nominate, constitute, & appoint, & by these p^rsents doe hereby nominate, constitute, & appoint Cap^t Silvester Salisbury Deputy Governo^r & Schout at Albany, Cap^t Jeremias Van Renslaer, together wth the whole Court of Commisaryes, & all the Commission Officers of the Militia within the p^rcincts of Albany, Renslaers-wijck, or Schanectide to bee Commissioners of a Speciall Court of Oyer & Termin^r (of whom Cap^t Salisbury is to bee President) to meet together some certaine time by the said Commission^{rs} to bee appointed within the space of six dayes after this Commission shall come to their hands (if the Malefacto^{rs} bee there in Custody) otherwise upon their Arrivall, to examine, enquire into hear & determine the Matter of ffact concerning y^e Murder or Death of the said John Steward, & that the said Commission^{rs} or major part of them, of the w^{ch} y^e Presid^t is to bee one, doe putt the said two Indyan Mur-

therers upon their Tryall by the Bench or Court; & for y^e better knowledge & clearing of the truth, they are hereby authoriz'd to call before them by Sub-pœnâ or Summons such persons who can give in Evidence against y^e Prison^{rs} for our Sovereigne Lord the King, concerning y^e said Murder, & them to examine upon Oath or otherwise; w^{ch} Oath they are hereby empowered to give, & upon Conviction of the Delinquents, if they shall bee found guilty by the Court, that they proceed to Sentence, & Ord^r Execu^{cion} to bee done upon them as in the Ord^r of Councell is sett forth according to the haynousness of the ffact, & the Lawes in such Cases provided. And for what the said Commissioners shall lawfully Act or doe in prosecution hereof, This my Speciall Commission of Oyer & Terminer shall bee to them and every of them a sufficient Warrant & Discharge. Given under my hand & Sealed wth the Seale of the Province at ffort James in New Yorke this 28th day of January in the 24th yeare of his Mā^{ties} Reigne Annoq̃ Domini 1672.

G. E.
4:249
(NYSL)

1672/3
Jan. 28

[Francis Lovelace.]

No. LXXXVII.

FOX-HALL MANOR AND CAPTAIN THOMAS
CHAMBERS.

A Priveledge granted to Cap^t Thomas Chambers,
for y^e Erecting ffox-Hall into a Manno^r

G. E.
4:216
(NYSL)

Francis Lovelace Esq^r &c: Whereas Cap^t Thomas
Chambers Justice of the Peace at Esopus hath been an aun-

1672
Oct. 16

G. E.
4:216
(NYSL)

1672
Oct. 16

cient Inhabit^t in those parts, where hee hath done signall & notable Service in the time of the Warrs against the Indyans, & having by his Industry in the time of Peace acquired a considerable Estate, of which hee now stands possest, Amongst the rest having a Mansion house not farr from the Towne of Kingston commonly called ffox-Hall, with a great Tract of Land thereunto belonging, w^{ch} said House is made defensible against any suddain Incursion of y^e Indyans or others; In acknowledgm^t of the Services heretofore done by the said Cap^t Thomas Chambers, & in part of recompence thereof, I have thought fitt to Erect the said Mansion House called ffox Hall & Land belonging to it into a Manno^r, to bee known by y^e name of the Manno^r of ffox-Hall, the w^{ch} shall for the time to come bee held, deemed, reputed, taken, & bee an entire enfranchized Manno^r of it selfe, & shall allwayes from time to time have, hold, & enjoy like & equall priveledges with other Manno^{rs} within the Governm^t, & shall in noe manner or any wise bee under the Rule, Ord^r or Direction of any Towne Court, but by the Generall Co^{rt} of Assizes, or as from time to time y^e said Cap^t Chambers shall receive Ord^{rs} or Directions from y^e Governo^r & his Councill. Given under my hand & Seale at ffort James in New Yorke this 16th day of Octob^r in y^e 24th year of his Ma^{ties} Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

No. LXXXVIII.

NEW YORK CITY — BENJAMIN JOHNSON,
THOMAS FAULX AND ROGER ESSEX,
PRISONERS.

Commission of Oyer & Termin^r for y^e Tryall
of Benjamin Johnson, Tho: ffaulx, & Roger Essex.

G. E.
4: 245
(NYSL)

Francis Lovelace Esq^r &c:

To y^e Commission^{rs} of Oyer & Terminer
herein men^coned.

Whereas severall Thefts & Larceny^s have of late been
com^mitted as well within this City & p^rcincts as parts adjacent,
of the w^{ch} Benjamin Johnson & two of his Complices here
under named are accused, & at present remaine in Custody
of the Sheriffe of the City in y^e Common Prison, & the usuall
time of holding the Court of Assizes (at the w^{ch} all such ffelo-
nyes & Capitall Crimes are properly to bee tryed) being at
soe great distance of time that it will not bee thought con-
venient to deferr the Execution of Justice soe long; I have
therefore with the Advice of my Councell thought fitt by
this my Speciall Commission of Oyer & Terminer to Nomi-
nate, Constitute, Authorize, & Appoint, & by these presents
doe nominate, constitute, authorize, & appoint M^r Jn^o
Laurence Mayo^r of this City, Thomas Lovelace Esq^r Jus-
tice of y^e peace, M^r Oloff Stevens Van Cortlandt, M^r Cor-
nelis Van Ruijven, Deputy Mayo^r, Cap^t Jn^o Manning High-
Sheriffe of Yorkshire upon Long Island; & Justice of the
peace, M^r Isaack Bedloo, M^r Johannes De Pijester, M^r W^m

1672/3
Jan. 11

G. E.
4:245
(NYSL)

1672/3
Jan. 11

Darvall & Mr Francis Rombout Aldermen, & Cap^t Dudley Lovelace, or any seaven of them, (the Mayo^r as President being one) to bee a Court to meet together & sitt upon Wednesday y^e 15th day of this instant Month at the State house in this City, then & there to call before them the Offend^{rs} now in Hold upon y^e suspition & Accusation aforesaid, or any other person or persons suspected to bee their Complices & guilty of those Crimes, as also all or any such Wittnesses who can give in Evidence or Testimony touching the Premisses, to whom they may administer an Oath for the discovery of the Truth, w^{ch} Oath they have hereby power to give; And the said Offenders to try by a Jury of twelve able & good Men, as also to pronounce Sentence against those who shall bee found guilty, & command the same to bee putt in Execution according to due course of Law in such Cases provided. And there being likewise now in hold one William Douglas who for diverse evill Acts & disturbance of the peace of the Governm^t was heretofore after some time of Imprisonm^t ordered to bee sent away our of these his Royall Highness Territoryes, not to returne againe under a certaine penalty; yet notwithstanding hee hath presumed soe to doe, for the which & also upon the suspition of his raysing new troubles hee hath been sent a Prisoner from Delaware hither; the said Commissioners are likewise to call the said Douglas before them, & to examine into the Matt^r & to proceed against him as a Disturber of his Mā^t^{ies} peace, & also sentence him (if found guilty) according to his Demeritts; ffor the doing of all w^{ch} this my Speciall Commission shall bee unto all & every y^e said Commissioners a sufficient Warrant; And all persons are hereby required to give unto y^e said Commission^{rs} the due respect & observance of a Speciall Court of Oyer & Terminer constituted by Authority of his Royall Highness; & to bee ayding & assisting unto

them in the prosecution of this my Commission as need shall require; w^{ch} said Commission is to last & bee of force untill Thursday the 16th day of this Month & noe longer. Given under my hand, & Sealed wth the Seale of y^e Province at ffort James in New Yorke this 11th day of Jan^{ry} in the 24th yeare of his Ma^{ties} Reigne, Annoq̃ Domini 1672.

G. E.
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(NYSL)
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[Francis Lovelace.]

The Names of y^e other two } Thomas ffaux and
Complices are ————— } Roger Essex.

Directions for the holding of the [Speciall] Co^{rt} of Oyer & Terminer, appointed by his hono^r the Governo^r for the Tryall of Benjamin Johnson, Thomas ffaulx, & Rogers Essex for Felony, as also of William Douglas for Misdemeano^r & breach of his Obligaçon the 15th day of January. 1672.

Col. MSS.
22: 124
(NYSL)

[Upon] the meeting of the Co^{rt}, The Clarke is to c[all upon] [th]e Cryer to make Proclamaçon, & say O Yes, O Yes, [O] Yes. Then let him say aloud after the Clar[k]e [s]ilence is co^mmanded in the Co^{rt} whilst his Ma^{ties} Co[m]mission^{rs} of Oyer & Terminer, are sitting, vpon paine of imprisonment.

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[Jan. 11]

Then the Clarke is to read aloud, The Co^mmission [o]f Oyer & Terminer. & after that to call over disti[nctly] the names of the Co^mmission^{rs}, who as they are called are [to] stand vp & make answer to their Names, If any [s]hall bee absent the Clarke is to Record the Default

Col. MSS. [Le]t the three Prison^{rs} Benjamin Johnson, Thomas
22:124
(NYSL) Fa[ulx,] Roger Essex bee then call'd for to the Sheriffe, to
bee [bro]ught to the barre

1672/3
[Jan. 11] [T]he which being done The Clarke is to bid the Cry[er]
[ag]aine to make Proclamaçon, & say as before O Yes,
Then let him say aloud after the Clarke.

[All] manner of ꝑsons, who have been su^moned, or have
any thi[ng] he[re] at this speciall Co^{rt} of Oyer & Terminer,
& can give Evidence for our soveraigne Lord y^e King,
agst any [of] the Prison^{rs} at y^e Barre, Draw neare & give yo^r
attendance

Whereupon the Clarke is to make Enquiry of the Sheriffe
[for] the Returne of a Jury for the Tryall of the Prisone[rs]
[a]t the Barre.

[U]pon Returne of the Juro^{rs} names, then proceede to
empa[nnel] the Jury, by calling over their names, the
which done, of the whole lyst returned, & the Clarke is
to [record ?] the Defaults of Non-Appearance, who are to
bee fined

After that twelve of the Numb^r shall bee pitcht Let them
bee called over by the Clarke, The Cryer talle[y] them, One,
two, &c.— Good men & true;

Before the Jury is sworne Call for the Pri[soners] to bee
sett to the Barr Then say to the Prisoners. These good
men who [were] last called are to passe vpon yo^r lives &
deaths, so if you or any of you have anything to object
against t[hem why] they should not bee sworne, Challenge
them as they come [to the] booke, & you shall bee heard, for
that afterwards [it will] bee too late.

Vpon any of y^e Prison^{rs} Lawfull Exception against any
another of those returned is to bee put in his place, & [none]
of y^e ꝑsons returned are to bee dismist, or depart the [court]
vntill the Jury bee compleated.

Then swear the Jury according as in y^e law bo[ok] is directed for life & Death, bidding the Juro^{rs} as [the] Oath is read to them to looke vpon the Prisoners at th[e barre]

Col. MSS.
22:124
(NYSL)

Then let the Clarke bid the Cryer to make O Yes, & say. Allard Anthony Sheriffe of th[e Citty] of New Yorke come into Co^t & prosecute Benj[amen] Johnson, Thomas ffaulx & Roger Essex on the be[half] of o^r Soveraigne L^d the King, about certaine Thef[ts and] Felonyes co[m]mitted by them, for y^e w^{ch} they stand here Vpon his Appearance, hee is to put in the Prese[ntment] agst all the three prisoners. which is to bee read. Then let Benjamin Johnson alone sett to the Barre. Then call to y^e Jury & say Gen^l. of y^e J[ury] Looke vpon the Prisoner you that are sworne.

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[Jan. 11]

Then say

Benjamin Johnson hold vp thy hand, when hee hath held vp his Right hand, Read the Endictment.

Benjamin Johnson &c

Then Benjamin Johnson what sayest thou A[rt thou] Guilty of the Thefts & ffelony whereof thou standest endicted, or not Guilty

If hee plead not Guilty Aske

By whom wilt thou bee tryde.

If hee say By God & the Countrey (The usuall words)

Then say: God send thee a good deliverance. So proceed to Tryall, By calling for the wittnesses & Examinaçons, wherein Note that the other two wit[nesses] are to be admitted in Evidence agst the prisoner, before they are convicted, but not after.

The wittnesses are to take the Oath in the Law sett for[th]

Then the Prisoner hath liberty to plead for him[sel]f

After all the President is to give a Charge to the Jury, who then are to retire by themselves & the Prisoner to bee returned to his place.

Col. MSS. *Endorsed:*22: 124
(NYSL)1672/3
[Jan, 11]

The Pap^{rs} about the
Tryall of Ben: Jonson
Thom: Faulx, & Essex.
16 Jan^{ry} 1672.¹

Col. MSS.
22: 127
(NYSL)

[Panel of Jurors.]

[1672/3
January]

James Staneley	a	Sworne
Jonathan Sellick.	a	} Sworne
John Sellick.	a	
William Browne	a	
Charls Hill.	a	
Daniel Lane.	a	
Paul Hall.	default	
<i>Rich^d Browne mast^r of a Ketch²</i>		
Thomas Hall.	a	} Sworne
Henry Brasier.	a	
<i>Thomas Davis Barns</i>		
12 <i>Peter Winne?</i>		
Thomas Major	a	
John Garland.	a	
Thomas Tailour.	a	
Timothy Gabry.	a	

Simon Jansen Romain.

Nicholas De Meijer

ffredrick Philips.

¹ Accompanying this endorsement is the following (now mutilated) note, viz: — "ffor [*torn*] the Court 1672 All manner of persons who have beene summoned, or have given their Attendance at this Speciall Co^{rt} of Oyer & Terminer, are now dismist, the Court being dissolv'd. God save the King."

² Names italicized are scored out in the manuscript,

[illegible]

AN EARLY JURY PANEL.

(Reduced from 12½ by 7¼ inches.)

Gerrit Van Tright
Guillaume D'Honneur.
John Barker
Roberte Beach
Isacke Arnolde
Thomas Bradley

Col. MSS.
 22 : 127
 (NYSL)

[1672/3
 January]

Endorsed: The Juro^{rs} names.

[Indictment of Benjamin Johnson.]

Col. MSS.
 22 : 126
 (NYSL)

The Indictment.

Benjamin Johnson, thou standest here indicted by the name of Benjamin Johnson of y^e City of New Yorke, for that having not the feare of God before thine Eyes, but being instigated by the Devill, thou didst upon the 21th day of December last, or there about, advise & abett Thomas ffaulx & Roger Essex wickedly & feloniously to goe on board the Bo[at] of Cap^t John Baker in the night time, riding in this [Harbour] then & there to cutt the Rigging, Sayles, & other Cordage [belonging] to the said Boat, who did carry them away in a Canoo [w^{ch}] they likewise stole, & at two severall places more did th[en] also by the way steal diverse Plancks, or Deal-Boards the w^{ch} they did all carry to thine House, who wert not only an Abetto^r of the Theft but a Receiver of the stollen Goods, & didst likewise endeavour to conceale the same. Thou stand'st likewise here endicted for that upon y^e 19th day of the said Month or some time thereabout, thou didst together wth the said Thomas ffaulx & Roger Essex thy Complices, in two Canooes goe up the River to the Towne of Westchest^r, from whence & parts adjacent thou didst together wth thy said Complices feloniously & privily take & carry away five Hoggs belonging to y^e Inhabitants

Col. MSS. there, & foure of them didst brin[g] to thy House; As also
 22: 126
 (NYSL) that some time heretofore thou didst feloniously take out
 [1672/3] of a Boat lyeing at Allertons Key the Smiths Valley wthin
 [January] the p^rcincts of this City, & carry aw[ay] a piece of Kersey,
 or wert a Contriver or Abetto^r of y^e [same] to the great
 Damage of the right Owner; And also tho[u] didst steal
 or wert an Abetto^r or Receiver^r of a piece of [torn off] & a
 Trowell stoln from the House of Cap^t Thomas De[lavall]
 at or near about the holding the Last Geñ^{all} Co^rt of Ass[izes]
 And also didst thy selfe in person or by one of thy Com-
 pli[ces] not long after the said time feloniously take out of
 the House of M^r John Rider a Blanckett, & carry the same
 away, and severall other Thefts, Larceny^{es}, & Robberyes
 hast committed against the peace of our Soveraigne Lord
 the King, & against the Lawes of this Governm^t in such
 Cases provided.

Benjamin Johnson what say'st thou? Art thou guilty
 of the ffelony laid to thy Charge, or not guilty?

Endorsed:

Benjamin Johnson
 his Indictm^t

Col. MSS.
 22: 124
 (NYSL)

[Indictment of Thomas Faulx.]

Tho: Faulx, Thou standest here endicted by the [name]
 [1672/3] of Thomas Faulx of this City or of Man¹ Island adjacent,
 [January] for that not having the feare of God before [thine] Eyes,
 but being instigated by y^e Devill, thou didst [upon] the 21st
 day of Decem^b last or thereabout toget[her with] Roger

¹Hog Island, granted by Governor Nicolls to Captain John Manning in
 February, 1668, and hence often called in early times Manning's Island, but
 now the well known Blackwell's Island, in East River. Faulx was a servant
 of Captain Manning.

[illegible]

FORM OF INDICTMENT OF THOMAS FAULX.

(Reduced from 12¼ by 8½ inches.)

Essex wickedly & feloniously in the night [time] goe on board the boate or Vessell of Cap^t John [Baker] where thou didst cutt the Rigging, Sayle & [other] Cordage belonging to the s^d boate, & from the[nce] in a Canoo which thou likewise stolest with thy Comerade carry & convey aw[ay the] same, & goeing from thence to the house of Ben[jamin] Johnson, an abettor & Receiuer of thy stolne Go[ods] together with thy s^d partner Roger Essex at two [severall] places steale & cary away diuers plancks or deale boards from off the shoare or warf[e]. Thou s[tandest] also endicted for that vpon or neare the 19th day [of] the s^d moneth thou didst together with Benjamin J[ohnson and Rog]er Essex in two Canooes goe vp the River to the towne of Westchester from whence & parts adjacent thou didst together with thy Complice feloniously [take] & cary away five hoggs belonging to y^e Inhabit^{ts} the one of which thou did[st] leave at Man Island & the other 4 at the house [of] Benjamin Johnson, And likewise that at or about the time of y^e gen^l Co^{rt} of Assizes last, thou didst steale, & take away a fish Carre lyeing in the Road twenty fishes co^monly call[ed] [torn] fish. As also that thou didst not [torn] since steale a Canoe belonging to one John N [torn] a^{ls} Virginia Jack & cutt out her Marke and at another time didst steale two hundre[d] [torn] of firewood from m^r Jacob Kipps planta^{co}n at Ki[pps Bay] together with severall other Cri[mes and] Misdemeano^{rs} wherewith thou standest accused, t[he which] is agst the peace of o^r soveraigne Lord the King, [& the] Lawes of this Government in such Cases provided

Col. MSS.
22:124
(NYSL)

[1672/3
January]

Endorsed:

Thomas Faulx his
Indictment.

Col. MSS.
22:125
(NYSL)

1672/3
Jan. 15-16

At a Speciall Co^t of Oyer & Termin^t
appointed by his Hono^r y^e Governo^r to
sitt upon y^e Tryall of Benjamin Johnson,
Thom: ffaulx, & Roger Essex, now in
Custody for diverse Thefts & Larce-
nyes, whereof they are accused

Aforenoone.

After opening y^e Court, & empannelling y^e Jury Ben
Johnsons Indictm^t was read, to w^{ch} after a long p[ause] hee
plead[ed] not guilty. but upon Examina^on of the Matt^r & the
Testimonyes of Thomas ffaulx & y^e Boy Essex, [hee] was
prov'd guilty of being privy to y^e Sayle, & pl[anks]

The ffact about the Hoggs hee confesses.

The Blanckett hee a long time denyed, fathering it
upo[n] ffaulx; but being evidently prov'd against him, hee
at la[st] confesseth it.

Something hee was taxt wth, more then what was in [the]
Indictm^t viz^t of a parcell of Lynnen stolne at Harlem, [w^{ch}]
hee hid (as they were wett) under his Bed, the w^{ch} [a]
Maid having formerly made known to Margery, s[he] upon
her Oath declar'd all the Passage to the Court [upon] whose
Testimony, & other apparent Circumstances h[ee] was]
found somewhat guilty therein. but not absolutely pr[oven]

The rest hee utterly denies.

Soe the Charge being given to y^e Jury by y^e Presid^t [the]
Prison^{rs} are recommitted, & the Jury goe out upon [their]
Verdict. the w^{ch} is to be brought in in y^e Afternoon[e] till
w^{ch} time y^e Co^t adjournes.

Afternoone.

The Jury bring in their Verdict, & finde him guilt[y]

The Sheriffe gives in an Inventory of his Goods & Chatte[ls]

The Prisoner reco^mmitted to y^e place from whence hee came.

Thomas ffawlz brought up, & the Indictm^t read, hee Col. MSS. 22:125 (NYSL)
pleads guilty to all the Thefts hee is chargd wth, but one, & that is the Canooe; of w^{ch} hee seems very fairly to clear himselfe, though only by his own Alligaçons. 1672/3 Jan. 15-16

Hee is reco^mitted to y^e Custody of the Sheriffe.

Roger Essex is call'd up, his Indictm^t read, to w^{ch} hee pleads guilty.

hee is recommitted. & the Jury dismiss.

The People are ordered to wthdraw, & the Court consult about the punishm^t of y^e Criminalls.

It's putt to y^e Vote what Punishm^t to bee inflected.

Cap^t Lovelace for Ben: Johnsons punishm^t votes for whipping. 39 Lashes.

M^r ffran: Rombout, votes for whipping 39 Lashes wth a Halter about his Neck, as a punishm^t for all the Thefts but y^e hogg stealing, & for that Crime of y^e Hoggs to lose one of his Ears, according to y^e Ord^r of y^e last Co^{rt} of Assizes.

M^r Darvall. y^e same & Banishm^t

M^r Depijester y^e same & Banishm^t

M^r Bedloo. y^e same & Banishm^t

M^r Van & Ruyven [*sic*] M^r Lovelace, & President the same. Soe as tis agreed by y^e Co^{rt} hee sh^{al}l have 39 Lashes wth a Haltar about his Neck, one of his Ears cutt off & suffer Banishm^t (not to returne into y^e Governm^t againe upon paine of Death.)

ffor y^e Punishm^t of Thom: ffawlz.

Cap^t Lovelace votes a whipping of 5 Stripes.

M^r Rombout. 25 Lashes.

M^r Darvall y^e same, & soe to bee dischargd.

M^r DePijester the same.

M^r Bedloo. 30 Lashes & Banishm^t

Cap^t Manning 25 & Banishmen^t

Col. MSS. Mr Van Ruyven 30 & Banishm^t
 22:125
 (NYSL) Mr Oloff Stevens 20 & Banishm^t
 1672/3 Mr Thom: Lovelace 30 & Banishm^t
 Jan. 15-16 The Presid^t 25 & Banishm^t

Soe that his full punishm^t shall bee to receive 25 Stripes & Banishm^t out of y^e Governm^t & in cas[e] hee shall hereafter happen to bee found in this Governm^t hee shall loose one of his Ears.

ffor y^e punishm^t of Roger Essex.

Cap^t Lovelace votes for 5 Lashes as afore.

Mr Rombout ——— 6

Mr Darvall ——— 10

Mr Depijester ——— 10

Mr Bedloo ——— 10

And all y^e rest of y^e Co^m^{nrs} vote the same namely 10 Lashes & upon thy committing any y^e least off[ence] of the like nature hereafter thou shalt bee more severely punisht [accor]ding to his [*sic*] Demeritt.

The Co^t adjourne till To-Morrow Morning at 9 a Clock Aga[inst] w^{ch} time the Sentences of Court are to bee dr[awn] up, & publickly read, after w^{ch} is done the Co^t bee dissolv'd.

Thursday Morning. y^e 16th Jan^{ry}. 1672.

The Co^t opened.

The Prison^{rs} brought up.

Their Sentences read.

The Prison^{rs} all fall down upon their Knees, & thank y^e Bench for their Clemency.

Soe the Co^t was dissolved.

The Commission^{rs} according to y^e teno^r of their Com-
mission doe give Order to the Sheriffe that hee see y^e Sen-
tences of the Court putt in Execution; only for the time they
referr it to his Hono^{rs} pleasure.

Col. MSS.
22: 125
(NYSL)
1672/3
Jan. 15-16

*Endorsements:*The Co^{rt} Proceedings

The Co^{rt}s Proceedings
against Ben: Johnsons
& his Complices.

No. LXXXIX.

ESTATE AND DEBTS OF NICHOLAS DAVIS.

[Acknowledgments of Debts of Nicholas Davis.]

Recorded for Philip Udall at the Request of
M^r Elias Doughty, the 16th feebry, 1672.

Deeds
3: 146
(Sec. State)

Know all men by these p^rsents, That I Nicholas Davis
of Barnstable Merch^t do acknowledge my selfe indebted unto
Philip Udall of fflushing, the full and just Summe of Sixteen
pounds in New England Silver, to bee paid unto the said
Philip Udall, or his Order, on demand, which is for a Parcell
of Land, once Walter Salter Ordered him for Debt; ¹ Which
the said Philip, or his Attorney, doth engage on Payment of
the said moneys, to give unto the said Davis, or his Attorney
a full Confirmaçon of the said Lands, graunted him from the
said Court, or Order of the Gen^{all}; And unto the said prem-

1669
Apr. 30
etc.
Recorded
1672/3
Feb. 16

¹ See New Amsterdam Records, vol. 6, pp. 24, 41, 45.

Deeds 3: 146
(Sec. State) issues, I do binde my selfe, my Heires, Executo^{rs} and Assignes,
as witnes my hand, this 31th [*sic*]¹ of the 2^d Moneth, 1669
Nicholas Davis

1669
Apr. 30
etc.
Witnes,
John Bowne
Recorded 1672/3
Feb. 16 The marke of T D Tho: Davis.

Rec^d of this Bill in Silver, y^e Su^me of three pounds ten
Shillings, as witnes my hand, y^e 31th [*sic*] of y^e 2^d Moneth 1669.
The marke of X Wi^{llm} ffoster.

Know all men by these p^rsents, That I Nicholas Davis
of Road Island, do acknowledge myselfe indebted unto
Philip Udall of fflushing, the Su^me of Eight pounds, in
Boston Silver, on all demands, to the w^{ch}, I do binde my
selfe, my Heirs, Ex^{rs}, or Assignes, as witnesse my hand,
this 22th of the 11th Moneth, 1671.

Nicholas Davis

Teste. Frans Bloet Goet, Robert Howley.

Deeds 3: 82
(Sec. State) [Acknowledgment of Deed by Nicholas Davis, etc.]
Recorded for D^r Henry Taylour. ffeb^{ry}. 24th 1672

Boston in New England the 26th day of Aprill 1671.

1671
Apr. 26
etc.
Recorded 1672/3
Feb. 24 Know all Men by these p^rsents, that I Nicholas Davis
Merch^t of Rhoad Island in New England, doe acknowledge
my selfe to have Bargained & sold unto Henry Taylour of
Boston Chyrurgion in the Colony of the Massathussetts in
New England atores^d a certaine ffarme in the Township
of Barnstable in the Colony of Plymouth in New England;
to say, with two dwelling Houses, one Warehouse, & one

¹Apparently "31th" is due to inadvertence, as the second month is April.

Barne or Stable, wth all Lands, Priveledges, Meadows, Commons, Wharfes, Creeks, Water-Courses, wth all other Priveledges thereunto belonging or appertaining as by a Deed of Sale from the Indyan Owners granted him & confirmed by the Order of the Governo^r, & under the Clarkes hand & Seale, wth six Milch Cowes, twenty Ewes, two Steares about three or foure yeares old, ten Swine, one Mare with all the Carts, Plow, Yoak, or Yoaks wth Chayne, or whatever is belonging to the ffarme at this day, as pertaining to Cattle, Carts, or ffurniture; & further the said Davis doth promise & engage to deliver & give possession unto the said Taylour or his Order at or before the twenty fifth day of September next, & to have Liberty to mow upon y^e same, when the said Taylour pleases; And the abovesaid Davis doth farther Promise & engage to deliver unto the abovesaid Taylour a Deed of Sale acknowledged by him before a Magistrate, & his wife giving up her Thirds before a Magistrate, with all other Writings concerning the same whatsoever, which is in Consideraçon of a Bond of Eight hundred & fourty pounds, due Debt the Summe of foure hundred & twenty pounds, w^{ch} the said Davis acknowledgeth to have received in full Satisfaction of the aboves^d Premisses; In consideraçon whereof the said Davis, his Heyres, Executo^{rs}, Administra^{to}^{rs}, or Assignes doth promise & engage to make good the abovesaid Premisses unto y^e abovesaid Henry Taylour his Heyres & Assignes forever. In wittness whereof I have hereunto sett my hand & Seale the day & yeare above written.

Nicholas Davis (Seale)

Signed, Sealed, & Delivered

in presence of
Hugh Drury
Henry Thompson.

Deeds
3:82
(Sec. State)

1671
Apr. 26
etc.

Recorded
1672/3
Feb. 24

Deeds
3: 82
(Sec. State) Hugh Drury & Henry Thomson Witnesses to the Instrum^t above appeared y^e 4th of September, & made Oath, that they see Nicholas Davis signe, Seale, & Deliver y^e same as his Act & Deed. Done before mee in Boston.
1671
Apr. 26
etc.
Jo: Leverett. Dep: Gov^r

Recorded
1672/3
Feb. 24

Whereas the within men^coned Agreem^t was to bee Completed, & Possession given of the Premisses was to bee upon the 25th of Septemb^r 1671. upon some farther Considera^con by mee Henry Taylour I doe Agree to lett Nicholas Davis have the use of all the within men^coned Premisses for the Terme of one whole yeare from the day of the Date hereof; The said Davis is to Warrant all the Premisses, & to pay at the end of the yeare ten pounds in Cattle at the ffarme as they shall be valued by two indifferent persons. That this is our Collaterall Agreem^t Wittness both our hands in Boston y^e 25th of Sep^t 1671.

Henry Taylour
Nicholas Davis.

Wittnesses

W^m Tailer
James Gundry.

William Taylour one of the Wittnesses to the Agreem^t above signed by Henry Taylor & Nicholas Davis appeared before mee the 4th of September 1672. & made Oath hee see them to signe the same. Done before mee in Boston.

John Leverett. Dep: Go^v

Deeds
3: 83
(Sec. State)

A bond from Nicholas Davis to D^r Taylor.

1671
Apr. 26
etc.

Recorded
1672/3
Feb. 24

Know all Men by these p^rsents that I Nicholas Davis Merchant of Rhode Island in New England doe acknowledge my selfe to owe & bee indebted unto Henry Taylor of Boston Chyrurgion in the Colony of the Massathusetts in New

England aforesaid, the full Summe of eight hun[d]red & twenty pounds in Provisions at Money price, one fourth part Wheate, one fourth Porke, one fourth Pease, & one fourth Indyan Corne, to bee paid unto the said Taylo^r his Heyres, Executo^{rs}, Administrato^{rs}, or Assignes upon Demand at his House or Warehouse here in Boston, for w^{ch} payment well & truely to bee made & performed, I doe binde my selfe my Heyres, Executo^{rs} & Administrato^{rs} firmly by these presents. In Wittness whereof I have hereunto sett my hand & Seale this 26th day of Aprill 1671.

Deeds
3: 83
(Sec. State)

1671
Apr. 26
etc.

Recorded
1672/3
Feb. 24

The Condiçon of this Obligaçon is such, That if the above-bounden Nicholas Davis his Heyres, Executo^{rs}, & Assignes doe deliver or cause to bee delivered unto the above-named Henry Taylour his Heyres, Executo^{rs}, Administrato^{rs}, & Assignes, a Deed of Sale according to an Obligation or Agreem^t made the 26th day of this present Month of Aprill 1671. in w^{ch} will more plainly appeare, That then this p^rsent Obligaçon to bee void & of none Effect, or else to remaine in full force, power, & vertue. As wittness my Hand & Seale this 26th day of Aprill 1671.

Nicholas Davis. (Seale)

Signed, Sealed, & Delivered
in the presence of
Hugh Drury
Henry Thomson.

Hugh Drury & Henry Thompson appeared the 4th of Septemb^r 1672. & made Oath that they see Nicholas Davis signe, seale, & Deliver the above-written as his Act & Deed. Done in Boston before mee —

Jn^o Leverett. Dep: Gov^r

Deeds
3: 147
(Sec. State)

[Contract of Sale between Philip Udall and Nicholas Davis.]

1671/2
Feb. 15

Recorded for Philip Udall, at the Request of
M^r Elias Doughty, the 16th February 1672.

Recorded
1672/3
Feb. 16

Know all men by these p^rsents, That I Philip Udall of fflushing, have Bargained and sold unto Nicholas Davis of Road Island Merchant, all my right, Title and Interest, of all the Meadow that belongs to mee in fflushing; In consideration hereof, the said Nicholas Davis is to pay, or cause to bee paid, unto the above said Philip Udall, the full and just Sume of twenty five pounds in Silver, to bee paid at or before the 14th day of ffebruary next ensuing; And for the true performance hereof, the aboue said Nicholas Davis doth make over unto the said Philip Udall, one of his Houses in Smiths fflye in New Yorke, either John Cope-all's House: And for non performance of the above said premisses, the above said Davis is to Pay fifty Shillings the yeare, for every yeares non-Payment; And for the true performance hereof, the above said Davis doth binde himselfe, his Heires, Executors, Administrato^{rs} or Assignes; In witnesse hereof, wee have here unto set our hands this 15th day of ffebruary, Anno, 1671.

The marke P of Philip Udall.

Signed in the p^rsence of
Robert Howley.

Nicholas Davis.

Signum

Jane X Clements.

G. E.
4: 192
(NYSL)

[Certification in favor of Samuel Davis.]

1672
Apr. 21

These are to certify all whom it may concerne that I have given liberty to M^r Samuel Davis to take & make use of

thirty or fourty Plancks or Deale-Boards belonging to his late ffather, now lyeing in the Smiths Valley or elsewhere, to make up his Barne at the White Stone in the Jurisdiction of flushing, or some other Convenience to secure the Corne or Hay growing upon his Land there. Given under my Hand at Forte James in New Yorke this 21th day of April 1672.

G. E.
4:192
(NYSL)

1672
Apr. 21

[Francis Lovelace.]

[Acknowledgement of Deed by Nicholas Davis.]

Deeds
3:79
(Sec. State)

Recorded for Samuel Davis this
21th day of ffebruary 1672.

To all Persons to whom these Presents shall come I Nicholas Davis of Newport in the Colony of Rhoad-Island & Providence Plantation in New England Merchant & over the good Sloop calld the Dolphin & now riding at Anchor in the Harbour of Newport aforesaid, & of all & singular the Masts, Sayles, Sayling yards, Cables, Anchors, Cords, Roaps, Tackle, Rigging, Apparrell, Munition, Boat, & furniture to the said Sloop belonging in any wise appertaining send Greeting. Know yee I the said Nicholas Davis for & in Consideraçon of one hundred pounds Sterl. unto mee in hand paid before the Enseling & delivery hereof by Samuel Davis of Newport Marriner¹ in the Colony aforesaid, the Receipt whereof I doe hereby acknowledge, have Granted, aliened, Bargained & Sold, & by these Presents for mee my Heyres, Executo^{rs} & Administrato^{rs} doe fully, clearly, & absolutely Grant, Alien, Bargaine. Selle, & Confirme unto the said Samuel Davis his Heyres, Executo^{rs}, Adminis-trato^{rs} & Assignes forever, the good Sloop called the Dolphin,

1672
June 16
etc.
Recorded
1672/3
Feb. 21

¹By an inadvertence this is written "Manner" in the original record.

Deeds 3:79
(Sec. State) & of all singular the Masts, Sayles, & Sayle yards, Cables
1672
June 16
etc. Anchors, Cords, Roaps, Tackle, Apparrell, Munition, Boate, &
Recorded 1672/3
Feb. 21 ffurniture, to the said Sloop, belonging, or in anywise apper-
taining; To have and to hold the said Sloope together wth all
& singular the Premisses above by these p^rsents granted unto
him the said Samuel Davis his Heyres, Executo^{rs}, Admin-
istrato^{rs} & Assignes, quietly & peaceable to improve,
possess, use & behoofe forever; And I the said Nicholas
Davis the said Sloop together with all & singular the Premises
above by these Presents granted unto him the said Samuel
Davis his Heyres, Executo^{rs}, Administrato^{rs}, & Assignes
against mee, my Heyres, Executo^{rs}, & Administrato^{rs}, &
any other person or persons that shall lay or pretend any
Clayme, Right, Interest, or Title in or to the same for one
whole yeare and a day will warrant & Defend by these
p^rsents; Perill of Seas, ffire, & Enemyes only excepted. In
wittness whereof I have hereunto sett my Hand & Seale y^e
sixteenth day of June in the 24th yeare of the Reigne of our
Soveraigne Lord Charles y^e second King of England &c:
Annoq̄ Domini 1672.

Nicholas Davis. (Seale)

Signed, Sealed, & Delivered in

y^e presence of

Thomas Starr,

John Steward.

W^m Hedge

the R mark of

Richard Gline.

The 18th day of Septemb^r 1672.

William Hedge on his Engagem^t solemnly attesteth that
this was sealed & signed by Nicholas Davis of Newport
lately deceased, or drowned; Attesting further that the said

Nicholas Davis delivered the said Deeds to Samuel Davis
his Sonn.

Deeds
3: 79
(Sec. State)

Attested before mee Nicholas Eastone G^r

1672
June 16
etc.

Thomas Starr one of y^e Wittnesses to the Bill of Sale above-
written came before mee y^e 23th of December 1672. & tes-
tified upon his Solemne Engagem^t that hee saw Nicholas
Davis signe, Seale, & Deliver the above-written Instrum^t
to Samuel Davis, & that hee sett his Name thereto as a
Wittness the same day & yeare as is exprest in the same.

Recorded
1672/3
Feb. 21

Francis Brinley Assist^t

[Acknowledgment of Deed by John Hicks.]

Deeds
3: 80
(Sec. State)

Another Deed about y^e same Recorded for the
said Samuel Davis y^e day & yeare aforewritten.

Know all Men by these Presents, That I Jn^o Hicks of
Newport in y^e Colony of Road-Island, & Province Plantaçon
in New England Ship-Wright, & Owner of the good Sloop
or Hull called the Dolphin, & now riding at Anchor in the
Harbour of Newport aforesaid send Greeting. Know yee
that I the said John Hicks for & in consideraçon of the Sum^e
of Seaventy five pounds Sterling unto mee in hand paid
before the Ensealing & Delivery hereof by Samuel Davis
of Newport Marriner in the Colony afores^d, the Receipt
whereof I doe hereby acknowledge, have Granted, aliened,
Bargained, & sold, & by these Presents for mee my Heyres,
Executo^{rs}, Administrato^{rs} & Assignes doe fully, clearly, &
absolutely Grant, Alien, Bargaine, Sell & Confirme unto the
said Samuel Davis his Heyres, Executo^{rs}, & Assignes for-
ever, the good Sloop or Hull called the Dolphin; To have

1672
June 20
Recorded
1672/3
Feb. 21

Deeds 3:80
(Sec. State) and to hold the said Sloop or Hull by these Presents, Grant-
ing unto him the said Samuel Davis his Heyres, Executo^{rs},
Administrato^{rs}, & Assignes quietly & peaceably to improve,
1672
June 20 possess, use, & behoofe forever; And I the said John Hicks
Recorded the said Sloop or Hull by these p^rsents granted unto him
1672/3
Feb. 21 the said Samuel Davis his Heyres, Executo^{rs}, Adminis-
trato^{rs}, & Assignes against mee, my Heyres, Executo^{rs}, &
Administrato^{rs}, or any other person or persons whatsoever
Clayming by, from, or under mee will Warrant and forever
Defend by these Presents. In wittness whereof I have here-
unto sett my Hand & Seale this 20th day of June in the 24th
yeare of the Reigne of our Sovereigne Lord Charles the
second, King of England, Scotland, ffrance, & Ireland
Defender of the ffaith &c: Annoq̃ Domini 1672.

Jn^o Hicks (Seale)

Signed, Sealed, & Delivered
in the presence of
James Clarke
Wepon Clarke.

Deeds 3:81
(Sec. State) Rhoad-Island.

The Receipt about the Paym^t

1672
June 20 Received of Samuel Davis of Newport Marrin^t the full &
Recorded just Sum^e of Seventy five pounds Sterling Moneys of New
1672/3
Feb. 21 England being in full paym^t for the Hull of the Sloop
Dolphin according to Agreement; I say receiv^d in full Satis-
faction for mee my Heyres, Executo^{rs}, Administrato^{rs} &
Assignes. As wittness my Hand & Seale this 20th day of
June 1672.

Jn^o Hicks (Seale)

Wittness
Wepon Clarke
James Clarke.

A Speciall Warr^t of Attachm^t to bee layd
upon y^e Estate of Nicholas Davyes to the
vallue of 400^l due to Doctor Taylour.

G. E.
4: 182
(NYSL)

Whereas Docto^r Henry Taylour of this City hath made
Comp^t unto mee that Nicholas Davyes late of his Mā^t^{ies}
Colony of New Plymouth deceased, was in his Debt a very
considerable Su^me of Money, that is to say the Su^me of
foure hundred pounds & upwards as by his Acco^{ts} doth
appeare; for the securing whereof hee hath requested mee
that an Attachm^t may bee laid upon soe much of y^e Goods,
Houses, Lands, & Chattells heretofore belonging to y^e said
Nicholas Davyes within this Governm^t, & as yett is undis-
posed of, as will amount unto y^e Vallue of his said Debt;
These are in his Mā^t^{ies} Name to require you to lay this my
Speciall Warrant of Attachment on soe much of y^e Goods,
Houses, Lands & Chattells of y^e deceased amounting to y^e
Su^me aforesaid with incidentall Charges, whether in the
Towne of fflushing, at the White-Stone, or any other part
of Long Island; of w^{ch} Notice is to bee given by Docto^r Taylour
to such of the Rela^{cons} of the said Nicholas Davyes deceased
as are like to Administer upon his said Estate in these parts,
that they appeare by their Attorney or in person at the next
Geⁿ^{all} Court of Assizes to bee held in this City beginning
on the first Wednesday in Octob^r then and there to make
Answer or Defence to y^e Comp^t & Suite of the said Doctor
Henry Taylour, of which they are not to faile least Judgment
bee entred against them by Default. Given under my Hand
& Seale at fforte James in New Yorke this 7th day of Aug:
in y^e 24th yeare of his Mā^t^{ies} Reigne, 1672.

1672
Aug. 7

[Francis Lovelace.]

G. E.
4: 190
(NYSL)

An Ord^r about y^e Estate of Nicholas Davyes
late of Rhode-Island deceased.

1672
Aug. 14

Whereas Samuel y^e Son of Nicholas Davyes deceased hath been recommended unto mee by y^e Governo^r & Councell of Rhode-Island for my Assistance in his taking an Inventory of his late ffathers Estate within this Governm^t that y^e Credito^{rs} may have their just Dues, & y^e Remaind^r of the said Estate bee disposed of to y^e Widdow & ffatherless according to Equity & Right; These are to require all Offic^{rs} within this Province & Government, where y^e said Nicholas Davis deceased had any Estate to bee ayding & assisting unto the said Samuel Davis in his taking an Inventory thereof, & if hee shall desire the same, that they appoint some able & indifferent Persons to make Apprizement of the Vallue thereof, that hee may the better bee enabled to render that Acco^t to y^e Councell & his Rela^{cons} there as will bee expected from him; And for soe doeing this shall bee their Warrant. Given under my Hand at fforte James in New Yorke this 14th day of August 1672.

[Francis Lovelace.]

G. E.
4: 192
(NYSL)

Liberty given to M^r Samuel Davis to carry hence
10 or 12 Bushells Wheat for his Mothers use.

1672
Aug. 21

Permitt & suffer M^r Samuel Davis to ship on board his Sloop the Dolphin of Road Island the quantity of 10 or 12 Bushells of Wheat, It being for y^e provision of his Mothers Family. And for soe doeing this shall bee your Warrant. Given under my Hand at fforte James in New Yorke this 21th day of August 1672.

[Francis Lovelace.]

To y^e Offic^{rs} at y^e Custome
House. These.

Letter to y^e Hon^{ble} y^e Governo^r &
Councill at Rhode-Island.

G. E.
4: 197
(NYSL)

S^r &

Gent.

I receiv'd yo^r Lett^r by y^e hands of M^r Sam: Davis, & was infinitely affected at y^e untimely end of Nicholas Davis, whose active Spirit for the promotion of a publick Interest will now appeare a great Loss to y^e Places and People hee convers^t wth; but Gods Will bee done; I am endeavouring to assist & direct his Disconsolate Relict & others of his Rela^{ti}ons concerned in the Estate as farr as I can, wthin the narrow p^rcincts of my Circle. To w^{ch} end I have caus'd M^r Mayo^r to make the best Enquiry hee can of his ffortune fixt in this place, & to give an Acco^t of it to Samuel; However I am to acquaint you, That if either M^{rs} Davis, or her Sonne bee designed to take Care of the Estate in these parts, there will bee a Necessity in either of them to take out Lett^{rs} of Administra^{ti}on, (in conformity to our Lawes) otherwise they will not bee able to Act; Whoever shall bee conceived proper there, I shall not scruple to afford them Letters; & therefore the sooner they resolve the better; Here are many great Pretende^{rs} to considerable Debts due to them from M^r Davis,¹ w^{ch} must bee clearly demonstrated, otherwise I shall esteem them but as bare p^rtensions; This is as much as at p^rsent I can bee subservient to yo^r Desires, or those interess^d [*sic*] in the irreparable Losse of the Deceased.

1672
Aug. 25

By what I have now Acted in ffavour to these Concernes in yo^r Recommenda^{ti}ons, you will collect the great Desire I have to live in all amicable ffriendship & Correspondency

¹ The claimants allowed are listed in *Records of New Amsterdam*, vol. 6, pp. 388-389 (September 17, 1672).

G. E.
4:197
(NYSL)

1672
Aug. 25

wth my Neighbo^{rs}, & hope to meet wth the same thoughts of others towards mee; Though lately I have been alarm'd of a Violent Action committed on M^r Jn^o Paine by some Authority under you; Neither can I learne the Malignity of his Crime to bee otherwise than a peaceable Desire of his, to bee settled (at last) under y^e just Power & Protection of his Royall Highness, in whose Limitts by Patent that Island is compriz'd but for present satisfaction that Affayre will bee referr'd to another Expostulation both by my selfe and others concern'd, In the meane time I have noe more but to assure you, In all amicable and Neighbourly Complacencies, you shall finde mee to bee

Yo^r assured ffriend to

Forte James y^e

serve you—

25th Aug: 1672.

Fran: Louelace.

G. E.
4:239
(NYSL)

Notice given to y^e Credito^{rs} of Nicholas Davis to bring in their Claimes of Debt to y^e Secretaryes wthin a certaine time & care should bee taken for their paym^t.

1672
Dec. 7

These are to give notice to all persons within this Governm^t who have any pretence of Debt or Clayme to make upon the Estate of Nicholas Davis deceased, that they bring in their Acco^{ts} of Debt of Clayme to the Secretaryes Office in the ffort wthin the space of six weeks after the Date hereof; Whereupon due course will bee taken to make Satisfaction to the respective Credito^{rs} as farr as the Estate will goe; And all Debto^{rs} to the said Nicholas Davis his Estate are likewise desired to bring in their Acco^{ts} of Debit within the

said limited time that a right understanding may bee had thereupon, & as near as may bee every one concernd may come by what of Right belongs unto him. Dated at New Yorke this 7th day of December 1672.

G. E.
4: 239
(NYSL)

1672
Dec. 7

By Ord^r of y^e Governo^r
M. N. Sec^r.

The like for Jamaica &
y^e Inhabitants of y^e North
Riding.

For Gravesend, & y^e Inhab^{ts}
of y^e West Ryding.

A Warrant directed to y^e High-Sheriffe to give Docto^r Taylo^r possession of Nicholas Davis his Estate at the White-Stone, for his 420th Debt.

G. E.
4: 239
(NYSL)

1672
Dec. 9

Whereas by an Ord^r & Judgm^t of y^e late Speciall Co^{rt} of Assizes the Estate belonging to Nicholas Davis deceased lyeing at the White-Stone in the precincts of fflushing with the Stock & Appertenances was forthwith to bee apprized by 4 indifferent men nominated by y^e s^d Co^{rt} & possession thereof to bee deliverd unto D^r Hen: Taylo^r upon acco^t of a Debt of 420th due unto him besides Charges of Suite; These are to require you to give notice to y^e persons concernd, that they make an Apprizem^t of y^e said Estate at money price according to Ord^r; & that you putt y^e s^d Docto^r Taylo^r into possession of the House, Land, & Premisses at White Stone afores^d; And for soe doing this shall bee yo^r Warr^t Given &c: 9th Decem: 1672.

[Francis Lovelace.]

G. E.
4: 266
(NYSL)

An Execucon to bee serv'd upon the Estate of
Nicholas Davis late deceased to satisfy 51ⁿ to
Docto^r Henry Taylour.

1672/3
Jan. 26
and
Mar. 10

These are in his Mā^{ties} Name to require you to Levy upon
any of the Goods & Chattells late belonging to Nicholas Davis
deceased in any part of this Governm^t as will amount to the
Su^me of fifty one pounds & eight Shillings, or value, to make
Satisfaction for the Remainder of the Su^me of foure hundred
& twenty pounds, wth all Charges, for y^e w^{ch} Doctor Henry
Taylour had Judgm^t & Execution against his Estate at the
White-Stone upon Long Island at the last Court of Assizes,
together wth the Ordinary Charges of this Execution; for
the doeing whereof this shall bee yo^r Warrant. Given under
my hand at ffort James in New Yorke this 26th day of
January. 1672.

[Francis Lovelace.]

To y^e High Sheriffe of Yorkshire
upon Long Island, or whom else this
may concerne.

This above written Execution was not sent out till y^e 10th
day of March 1672. the first being miscarried.

G. E.
4: 262
(NYSL)

A Warrant to protect M^{rs} Davis from Arrest.

1672/3
Feb. 20

Whereas M^{rs} Sarah Davis y^e Widdow & Relict of Nicholas
Davis of Rhode Island Merch^t deceased, coming into these
parts to make Enquiry after her said Husbands Estate here,
had at her Request a Warrant to protect & keep her harmless
from any Arrest or Trouble upon her Husbands Acco^t;
Notwithstanding the w^{ch} some Persons have p^rsumed to
molest her, although shee is noe way concerned in her said

Husbands Estate, either as Administratrix or Executrix, but on the contrary hath disowned & disclaymed all or any Right & Interest shee hath therein or thereunto; These presents Certify & Declare that all such Attachm^{ts} or Arrests as have been served upon her in relation to her Husbands Engagem^{ts} or Debts are void, & any Contract or Agreem^t made by her, or Promise or Security given by any one for her upon the said Acco^t of her Husbands Debts or Credit are made null, shee being noe way concerned in the Administratorship of his Estate, but other persons appointed in her stead, who have undertaken y^e same, to whom the said Credito^{rs} may make their Application. Given under my Hand at Fort James in New Yorke this 20th day of ffebruary in the 25th yeare of his Mā^{ties} Reigne, Annoꝝ Dñi. 1672.

G. E.
4: 262
(NYSL)

1672/3
Feb. 20

[Francis Lovelace.]

To all whom this may
Concerne.

No. XC.

PETER GROENENDIJKE, *alias* SMITH — SEDUC-
TION AND BREACH OF PROMISE.

Warrant to fetch back Peter Groenendijke.

G. E.
4: 274
(NYSL)

These are in his Mā^{ties} Name to require you to bee ayding & assisting to the Bearer hereof in apprehending the person of Peter Groenendijke als Smith, if hee can bee found wthin yo^r p^rcincts, who very lately is departed this City, where hee stands accused of severall Misdemeano^{rs}, & that you cause him to bee convey'd safely to this Place, & delivered into

1673
Mar. 29

G. E. the Custody of the Sheriffe, for the doeing whereof this shall
4:274 (NYSL) bee yo^r Warrant. Given &c: this 29th of March 1673.

[Francis Lovelace.]

1673
Mar. 29

To all Justices of y^e peace, Constables,
or other Officers wthin this Governm^t,
or whom else this may concerne.

This Warrant of Hue & Cry is desired
too bee presented into y^e Neighbour
Colonyes if Occasion shall bee thereof.

No. XCI.

NEW YORK CITY — CURE-MASTER AND GAUGER,
AND PACKER.

G. E.
4:263 (NYSL)

Commission for M^r Hoogeland to bee Cure-Mast^r

1672/3
Feb. 20

Whereas it is thought requisite, & for y^e Reputa^on of
the Governm^t that some knowing Man should bee appointed
as Cure-Master to view the fflowre & Bread that is to bee
transported in Caske out of this City, that it bee good and
merchantable, & upon his Approba^on thereof to sett a
Brand-Marke upon the Caske, w^{ch} shall bee known to bee
the Cityes Marke, the w^{ch} will bee a meanes to p^rvent any
Vnderhand Abuse therein, that would redound to the Dis-
creditt & Disparagem^t of the Place, having conceived a good
Opinion of the fitness & Capacity of M^r Christopher Hooge-
land to performe the Trust afore-men^oned, I have thought
fitt to appoint him to bee Cure-Master to view & marke the
Caske of fflowre & Bread as afores^d, & doe recommend the
said M^r Hoogeland to M^r Mayor, who is desired to pitch

upon some certaine Allowance to bee paid him for his Care & Trouble therein. And in regard there is noe certaine person appointed at this present to bee a Publick Gager of Vessells or Caske, I doe likewise appoint him the said M^r Hoogeland to bee the Publick Gager in this City either as to Liquids or Cask wth dry Goods relating to Tunnage, for w^{ch} also M^r Mayo^r is further desired to ascertain the Salary. And the said M^r Hoogeland is to take his Oath for the true performance of the Trust reposed in him. Given under my Hand at ffort James in New Yorke this 20th day of ffebruary in the 25th yeare of his M^a^t^{ies} Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

G. E.
4:263
(NYSL)

1672/3
Feb. 20

The Governo^rs Ord^r & Approbaçon of what was done at the Mayo^rs Court, concerning a Packer, Viewer, & Gager of all Goods in Cask. Richard Ellett, & M^r Hoogeland being y^e psons appointed for that Purpose.

G. E.
4:269
(NYSL)

Vpon y^e Returne from y^e Mayo^r & Aldermen of what should bee thought fitting to bee allowed unto the Packer of Beefe & Porke either for packing or viewing; That is to say, for packing of Beefe or Porke per Barrell six pence; & for viewing as Cure-Master three pence per Barrell, I doe well approve thereof, & that Richard Ellyott the Cooper bee y^e person appointed for that Employ^{mt}, who is to bee sworne accordingly. And as to the Cure-Mast^r of Bread & Floure, I doe think it reasonable for viewing & branding wth the Cityes Brand-marke, that hee bee allowed foure pence per Barrell, the one halfe to bee paid by the Buyer, the other by the Seller; & for Gaging of Liquids or Dry Goods as is proposed one Shilling per Hogshead or Puncheon & soe for greater or smaller Cask accordingly, for the Executing of

1672/3
Mar. 12

G. E.
4: 269
(NYSL)

1672/3
Mar. 12

w^{ch} Employ^t I have appointed M^r Christopher Hoogeland, who is to take his Oath for the due performance of his Trust. Given &c: this 12th day of March 1672.

[Francis Lovelace.]

G. E.
4: 270
(NYSL)

Commission for M^r Hoogeland to bee
Cure-Master, Gager, &c:

1672/3
Mar. 15

Whereas it hath been rep^rsented unto mee, & is thought requisite both for the Reputa^con of this City & Government that some knowing Man should bee appointed as Supervizo^r or Cure-Mast^r to view y^e ffloure & Bread w^{ch} shall bee transported for payment of Merchandize to Strangers, or otherwise out of this Place, that it bee good & Merchantable, And also that there bee a sworne Publick Gager of Vessells or Caske either of Liquids or Cask wth dry Goods, relating to Tunnage from any Ship or Vessell when desired, Having conceived a good Opinion of the fitness & capacity of M^r Christopher Hoogeland Merch^t & an Inhabitant & free Denizen of this City to performe the Trust afore-mentioned, I have thought fitt to nominate, constitute, & Appoint, & by these presents doe nominate, constitute, & Appoint him the said M^r Christopher Hoogeland to bee Supervizo^r or Cure Master to view the fflour & Bread to bee transported from hence in Caske as aforesaid, who upon his Approba^con thereof to bee merchantable is to cause a Brand marke to bee sett upon the said Caske, w^{ch} shall bee known to bee the Marke of this City, whereby all Vnderhand Dealings & Abuses may bee prevented, w^{ch} would otherwise redound to the Discreditt & Disparagem^t of the place, and also that according to his Oath hee doe duely performe the Office and Trust of the Publick Gager in this City and parts adjacent. And forasmuch as that according to his Royall Highness

Lawes for this Province & Governm^t as well as severall Orders of the Geñ^{al} Court of Assizes the English Weights and Measures are to bee putt in practice, & alone used within this City & Governm^t, the w^{ch} hath lately been taken into consideration by the Court of Mayo^r & Aldermen for what concerns this place; I doe likewise appoint the said M^r Christopher Hoogeland to view, try, & Seale such Weights & Measures whither of Liquids or otherwise, whereof there is to bee a due Standard, & the same to allow of and Seale in this City & parts adjacent according to the Directions in the Lawes, and for his Trouble & paines in all the Premisses hee the said M^r Hoogeland is to have & receive of the Persons concerned for the viewing and marking of ffloure and Bread, as also for the Gaging, as in my last Approbaçon and Ord^r sent to the Court of Mayo^r & Aldermen is directed, & for the rest relating to Weights and Measures as in the Booke of Lawes is sett forth. Given under my hand & Seale at ffort James in New York this 15th day of March in y^e 25th yeare of his M^a^{ties} Reigne, Annoq̃ Domini 1672.

G. E.
4:270
(NYSL)

1672/3
Mar. 15

[Francis Lovelace.]

Certificate of M^r Hoogelands having taken his Oath, as touching his Place of Cure-Mast^r ¹

G. E.
4:272
(NYSL)

These are to certify all whom it may concerne that M^r Christopher Hoogeland hath taken his Oath for the due performance of the Trust reposed in him, of being Supervizo^r or Cure-Master for the Bread and ffloure to bee transported out of this City, & other Particulars exprest in the Commission hee hath from his Hono^r the Governo^r for the same. Dated the 20th day of March 1672.

1672/3
Mar. 20

¹ A duplicate record of this certification, with no material variations from the above text, is given in *General Entries*, vol. 4, p. 275.

No. XCII.

NEW YORK AND BOSTON POST.

G. E.
4:243
(NYSL)A Proclamaçon for a Post to goe monthly from
this City to Boston & back againe.1672
Dec. 10

Whereas it is thought convenient & necessary in obedience to his Sacred M^{ties} Commands who enjoynes all his Subjects in their distinct Colonyes, to enter into a strict Allyance and Correspondency with each other, as likewise for the Advancem^t of Negotiation, Trade, & Civill Commerce, & for a more speedy Intelligence & Dispatch of Affayres; That a Messenger or Post bee autoriz'd to sett forth from this City of New Yorke monthly, & thence to travaile to Boston, from whence within that Month hee shall returne againe to this City; These are therefore to give notice to all persons concern'd, That on the first day of January next, the Messenger appointed shall proceed on his Journey to Boston; If any therefore have any Letters or small portable Goods to bee conveyed to Hartford, Connecticott, Boston or any other parts in the Road, they shall bee carefully delivered according to the Directions by a sworne Messenger and Post, who is purposly imployed in that Affayre; In the Interim those that bee dispos'd to send Letters, lett them bring them to the Secretaryes Office, where in a lockt Box they shall bee preserv'd till the Messenger calls for them. All persons paying the Post before the Bagg bee seald up. Dated at New Yorke this 10th day of Decemb^r 1672.

By Ord^r of y^e Governo^r

The Oath given to the Post-Master.

G. E.
4: 253
(NYSL)

You doe sweare by the Everliving God, that you will truly & faithfully discharge the Trust reposed in you as a Post-Master, and that you will neither directly nor indirectly detain, conceale or open any Letters, Packetts, or other Goods committed to your Charge, but carefully & honestly deliver or cause to bee delivered all such Letters, Packetts, or other Goods to the Persons they properly belong unto, & that you will make all the Expedition in passing & repassing the severall Stages wth all speed, & to make noe more Stay then necessarily belongs to the refreshing your selfe and Horse, & in all things truly & soberly to comport yo^r selfe soe, as belongs to the Trust reposed in you, and as a Post-Master ought to doe.

[1672/3
January]

Soe help you God. &c:

Instructions for y^e Post-Mast^rG. E.
4: 252
(NYSL)

In the first place you are to take yo^r Oath of ffidelity w^{ch} the Secretary shall administer to you, your Duty as to the Generall is included in that Oath.

1672/3
Jan. 22

Next, you are to comport yo^r selfe wth all Sobriety & Civility to those that shall intrust you, & not exact on them for the prices both of Letters and Pacquetts.

You are principally to apply yo^r selfe to the Governo^{rs} especially Governo^r Winthrop, from whom you shall receive the best Direction how to forme y^e best Post-Road.

You are likewise to advize where the most commodious place will bee to leave all the by-Lette^{rs} out of yo^r Road, w^{ch} when having it once well fixt, you are not only to leave the Letters there, but at your returne to call for Answers, & leave a Publication of your Resolutions, the w^{ch} you must

G. E.
4: 252
(NYSL)

cause to bee disperst to all parts, that soe all may know when & where to leave their Letters.

1672/3
Jan. 22

You are to give mee an Acco^t of Negotiation at this time to the end I may bee satisfyed of all your proceedings, & bee able able to assist you if Occasion shall require.

Where you think it requisite you are to marke some Trees that shall direct Passengers the best way, & to fix certaine Houses for your severall Stages both to bait & lodge at.

When any persons are desirous to travaile wth you, you are to treat them civilly, & to afford them yo^r best help & assistance, that I may heare noe Complaint of you.

You shall doe well to provide yo^r selfe of a Spare Horse, Horne, good Port-Mantles, that soe neither Letters nor Pacquets receive any Damage under yo^r hands.

There are some other Considera^çons w^{ch} I shall forbear to mention till yo^r returne, & I receive a further Accompt of you, and soe God bless all yo^r honest Vndertakings.

ffran: Lovelace.

ffort James y^e 22^d of
Jan^{ry}. 1672.

You are also to detect & cause to bee apprehended all fugitive Souldyers & Servants runn away from these parts.

No. XCIII.

YORKSHIRE — HOLDING OF COURTS.

G. E.
4: 71
(NYSL)

The Co^rts of Sessions in y^e North & West Ridings are this yeare to be alterd as followeth.

1671
Nov. 20

Whereas It was heretofore practized that in holding y^e Co^rts of Sessions upon Long Island in y^e Month of December,

y^e Cōrt held for y^e East Rideing was upon y^e first Wednesday of that Month, for y^e North y^e second, & for y^e West Rideing the third Wednesday, since w^{ch} time y^e Co^{rt} for y^e East Rideing hath upon their Request been alter'd from y^e Month of December to y^e Month of March, the other two Courts retayning their usuall time. And it being thought more convenient That some Alteration should likewise bee allowed unto them, That is to say, y^e Co^{rt} for y^e North Rideing to beginn on y^e first Wednesday, & that for y^e West on y^e second, in y^e Month of December aforesaid; It is ordered That y^e Co^{rts} of Sessions shall be held in that manner now proposed, of w^{ch} each Towne is to have Notice, That those who have Busyness, as well as others required to give their Attendance, may duely observe the same. Given under my Hand at fforte James in New Yorke this 20th day of Novemb^r 1671.

G. E.
4:71
(NYSL)
1671
Nov. 20
ffran: Louelace

To y^e Justices of y^e peace & all
others concerned in y^e N: & West Ridings.

Notice given to y^e Clarks of y^e Co^{rts} of Sessions
of y^e Speciall Co^{rt} of Assizes. on Decem: 6th
1672.

G. E.
4:230
(NYSL)
1672
Nov. 9

Whereas upon y^e first Thursday in Decemb^r next a Speciall Co^{rt} of Assizes is appointed to bee held in this City, soe that the Co^{rt} of Sessions ordered y^e last yeare to beginn upon y^e first Wednesday of the said Month cannot bee attended this yeare in regard the Justices & those of the Councell are obliged to give their Attendance here the next day; It is therefore Ordered, that the time for holding y^e Court of Sessions for the North Riding this next Month of Decemb^r shall beginn as formerly upon the second Wednesday, & for the

G. E.
4: 23⁰
(NYSL)
1672
Nov. 9

West on y^e third Wednesday, but for the time to come as the last yeare unless upon the like extraordinary Occasions, Notice bee given to the contrary. Given &c: this 9th of November 1672.

[Francis Lovelace.]

To y^e Clarkes of y^e respective Co^rts of Sessions of y^e North & West Ridings who are to give notice to y^e Justices &c:

No. XCIV.

YORKSHIRE — CAPTAIN JOHN MANNING,
HIGH SHERIFF.

G. E.
4: 26
(NYSL)

Captⁿ Manning his Commission for High Sheriff.

Francis Lovelace Esq^r &c:

1671
Sept. 7

Whereas y^e Court of Sessions for y^e West Rideing of Yorkshire upon Long Island did according to Ord^r p^rsent unto mee y^e Names of three persons out of w^{ch} I am to Elect one to be High-Sheriff in y^e place & stead of M^r Robert Coe late High Sheriff for y^e North-Rideing, whose time is some-while since expired; To y^e End y^e Law may have its due Course & Vigour, and haveing conceiv'd a good Opin- ion of y^e ffitness & Capacity of you Captⁿ John Man- ning a Justice of the Peace of y^e West-Rideing afore^s^d, and one of y^e three whose Names were returned unto mee, I have therefore Nominated, & Appointed, and by these p^rsents doe Nominate and Appoint you y^e said Captⁿ John Manning to be High Sherriff of Yorkshire upon Long Island, & p^rcincts from y^e Day of the Date hereof untill y^e last Day

of June w^{ch} shall be in y^e yeare of our Lord 1672; Of y^e w^{ch} all Persons concerned are to take Cognizance, and to give you that Respect and Obedience as is due to yo^r Office; And you the said Captⁿ John Manning are in all Things and Matt^{rs} relating to yo^r Office to be Regulated by y^e Lawes of this Governm^t, & such Ord^{rs} and Directions as from time to time you shall receive from mee. Given under my Hand & Seale at fforte James in New Yorke y^e 7th day of September, in y^e 23^d yeare of his Mā^{ties} Reigne, Annoq^{ue} Dñi. 1671.

G. E.
4:26
(NYSL)

1671
Sept. 7

Fran: Lovelace.

Cap^t Jn^o Manning's second Commission
for High Sheriff.

G. E.
4:201
(NYSL)

Whereas Cap^t Jn^o Manning one of y^e Justices of the peace of the West-Riding hath officiated in the Employment of High-Sheriff of Yorkshire upon Long Island and Precincts for one yeare past, for the which hee had my Commission, & the High-Sheriffs of the East and North Ridings his Predecesso^{rs} having continued in that Employment one yeare more then ordinary, w^{ch} Priveledge was likewise consented unto should bee continued unto the West Riding, I have therefore thought fitt and by these Presents doe Order & Appoint that Cap^t John Manning doe continue High Sheriff of Yorkshire upon Long Island and Precincts from y^e Day of the Date hereof untill y^e last day of June w^{ch} shall bee in y^e yeare of our Lord 1673, of the w^{ch} all Persons concern'd are to take cognizance, and to give him that respect & Obedience as is due to his Office, and the said Cap^t John Manning is in all Things and Matters relating thereunto to bee regulated by the Lawes of this Governm^t, and such Ord^{rs} & Directions as from time to time hee shall receive from Mee.

1672
Sept. 7

G. E.
4:201
(NYSL)

1672
Sept. 7

Given under my Hand and Seale at fforte James in New Yorke the 7th day of Septemb^r in y^e 24th year^e of his Mā^{ties} Reigne, Annoq̃ Domini 1672.

[Francis Lovelace.]

No. XCV.

DANIEL LANE OF BROOKHAVEN — INCEST AND
CONFISCATED ESTATE.

Col. MSS.
22:147
(NYSL)

1673
June 21

[Seal]

[Special Warrant for arrest of Daniel Lane.]¹

Whereas I have receiv'd Informaçon from y^e Constable of Seatalcott ałs Brook-Haven that Daniel Lane late of the same place hath since his Escape out of Prison in this City, notwithstanding y^e severall Hue & Cryes sent after him, & particularly left in that Towne for his Apprehension, been seen & Concealed in that Place both at his House (which by my Speciall Warrant hath layn under Arrest since his fflight) & also in other places adjacent as is presumed; These are to require you forthwith to repaire to the said Towne of Brook-Haven, & wth the Assistance of y^e Constable & the other Officers there, that you make strict Search & Enquiry after y^e said Lane, & if Occasion bee that you take to yo^r Assistance for y^e apprehension of y^e Delinquent (if hee can bee heard of or found wthin y^e Governm^t) such Number of the Trayned Bands as shall bee thought requisite, the whom you haue hereby Power to rayse; And upon Examinaçon of any Persons, either in y^e

¹There is also an engrossed copy, with no material variations, in *General Entries*, vol. 4, p. 286.

Whereas I have received Information from
 y^e Gent^{le} of y^e Selectcott of y^e Brook Haven that
 Lane late of the same place hath since his Escape out of
 Prison in this City notwithstanding y^e several
 & y^e sent after him, & particularly left in that Town
 for his Apprehension, been seen & concealed in that Place
 both at his House (which by my Speciall Warrant
 hath layn under Arrest since his flight) & also in
 other places adjacent as is presumed; These are to
 require you forthwith to repair to the said Town of
 Brook Haven, & wth the Assistance of y^e Justices &
 the other Officers there that you make strict Search & Enquire
 after y^e said Lane, & if Occasion be that you take to
 y^e Assistance for y^e Apprehension of y^e said Person
 if he can be heard of or found in y^e Government
 Number of the Tainted Bonds as shall be thought requi-
 site, the whom you have hereby Power to raise; And
 upon Examination of any Persons, either in y^e Town of
 Brook Haven or elsewhere, who shall bee adjudged princi-
 pally in y^e Concealment of the said Lane, that you cause them
 to bee secured, & carryed before the next Justice of the
 peace, who is to take Security of them for their Appearance at
 y^e next Genall Court of Shiers, there to answer for their Mis-
 means herein. And that you use any other lawfull ways &
 means for the detecting & securing of y^e Offender, & bringing
 those who shall clye, & sett, or conceal him to condigne Pun-
 ishment; Of all w^{ch} y^e are to render mee an Acc^t; & for
 w^{ch} I receive you shall cleave & doe in Execution hereof, this shall
 bee y^e sufficient Warrant Given under my hand &
 Great Seale in N^o York this 21th day of June 1673.

To M^r. Peter Smith of Long
 Island Under Sheriff

Franc: Lovelace

ORIGINAL WARRANT FOR ARREST
 OF DANIEL LANE
 With Autograph of Governor Lovelace, and Seal.

(Reduced from 12 by 7½ inches.)

Towne of Brook-Haven or elsewhere, who shall bee adjudged privy to y^e Concealment of the said Lane, That you cause them to bee secured; & carryed before the next Justice of the peace, who is to take Security of them for their Appearance at y^e next Gen^{all} Co^{rt} of Assizes, there to answer for their Misdemeano^r herein. And that you use any other lawfull wayes & meanes for the detecting & securing of y^e Offendo^r, & bringing those who shall Ayd, Abett, or Conceale him to condigne Punishment; Of all w^{ch} yo^u are to render mee an Acco^t; And for whatsoever you shall Act or doe in psecution hereof, this shall bee yo^r sufficient Warrant. Given under my hand & seale at Fort James in N: Yorke this 21th day of June. 1673.

Col. MSS.
22: 147
(NYSL)

1673
June 21

Fran: Louelace¹

To M^r Peter Smith of Long
Island Vnder-Sheriffe —

No. XCVI.

KINGSTON — ESTATE AND DEBTS OF REYNER
VANDER COOLEY.

An Ord^r concerning y^e Mortgage upon y^e
Estate of Reijner van der Cooley.

C. A.
2: 507
(NYSL)

Whereas I am giuen to understand that Asser Levy of this Citty as Attorney for Rabbe Couty had a mortgage upon y^e Estate of Reijner vander Cooley at Kingston in

1670
Apr. 15

¹ Original signature.

C. A.
2:507
(NYSL)
1670
Apr. 15

Esopus for security of a certaine Summe of money due from vander Cooley unto y^e said Rabbe Couty w^{ch} said mortgage was recorded & left in y^e hands of M^r William Beeckman y^e Schout there, Notwithstanding w^{ch} y^e said Vander Cooley hath p^rsumed to make sale of y^e said Estate to seuerall oth^r persons for the payment of oth^r debts since that tyme contracted y^e w^{ch} will tend very much to y^e p^rjudice of y^e former Credito^{rs} if not p^rvented, Upon y^e request of y^e said Asser Levy I haue thought good to reco^mend y^e Examination of y^e matter to yo^u & do likewise ord^r if it be as is alleadged That y^e mortgage be first satisfied out of y^e Estate of y^e said Vander Cooley before y^e latt^r debts be paid w^{ch} is consonant to y^e Lawes of y^e Governm^t as well as to reason, for that a latter sale cannot be of Validity untill y^e former Mortgage be taken of: Given und^r my hand at ffort James in New Yorke this 15th day of Aprill 1670.

[Francis Lovelace.]

To y^e Schout & Comissaryes at
Esopus who are to retorne an
Account hereof.

C. A.
2:606
(NYSL)

A Confirmation of y^e first mortgage or
Judgm^t made to Nicholas de Meyer
ag^t y^e Estate of van der Cooley.

1670
Oct. 21

Whereas I did upon y^e 15th day of Aprill last issue forth an Ord^r directed to y^e Schout & Comissaryes at Esopus to make inquirye & Examination into a certaine matter in difference betweene Asser Levy of this Citty as Attorney & on y^e behalfe of Rabba Couty & Reyner van der Cooly to y^e said Asser Levy for securitye of a certaine Summe of money due unto y^e said Rabba Couty, And it having been made appeare unto me, That y^e said Land was p^rmortgaged

upon good & valuable considerations to Nicholas de Meyer of this Citty, or a Judgment first obteyned by him These are to Certifye & declare, That y^e first mortgage or Judgment made to y^e said Nicholas de Meyer is to take place, & y^e said Asser Levy or Rabba Couty are to haue their remedye & recourse against y^e said Vander Cooley or any oth^r Estate he hath but not against that so p^rmortgaged or Judgm^t obteyned for as aforesaid any ord^r to y^e Contrary heretofore graunted notwthstanding. Given und^r my hand at ffort James in New Yorke this 21th day of Octob^r 1670.
[Francis Lovelace.]

C. A.
2:606
(NYSL)1670
Oct. 21

An Ord^r made on y^e behalfe of M^r Asser Levy, giving preference to his Debt & Mortgage upon y^e Estate of Reyneer Van der Cooley.

G. E.
4:82
(NYSL)

Whereas there was heretofore a Matt^r in difference between Nicolas de Meijer & Asser Levy debated before my selfe & Councell, touching y^e p^rference of paym^t of Moneys due unto them upon a Judgm^t obtained by one, & a Mortgage made to y^e other from Reyneer Van der Cooley, & it being adjudged that y^e Judgm^t of Nicholas de Meijer being of a former Date should first take Place, & that Asser Levy should be next paid his Mortgage, Notwithstanding y^e w^{ch}, although y^e full Judgm^t (as I am given to understand) hath been satisfyed & paid, wth an Overplus, That is to say, two Thousand, one hundred Guilders in y^e place of nineteen hundred, yet y^e said Nicholas de Mijer haveing some Pretences of a New Debt, or of Charges upon y^e old, hath by his Attorney laid an Attachm^t upon y^e remaining part of y^e Estate of Reyneer Van der Cooley at Esopus, w^{ch} was designed to make paym^t to y^e said Asser Levy, soe that hee is debarred of his Right thereunto, Vpon Consideraçon

1671/2
Jan. 9

G. E.
4:82
(NYSL)

1671/2
Jan. 9

had hereupon, It is Ordered, That if it bee as is suggested, That is to say, That Nicholas de Mijer hath by himselfe or his Order receiv'd y^e Su^me in his first Judgm^t specifyed, That then y^e Attachm^t bee taken off, & y^e Debt & Mortgage of Asser Levy be preferr'd before any other Collaterall Debt or Engagem^t upon y^e said Estate, after y^e w^{ch} Nicholas de Mijer or any other Credito^r may have their Recourses to be paid out of y^e Remaind^r, if any there shall bee; Of w^{ch} y^e Offic^{rs} in Esopus are to take Care That this Order bee forthwth putt in Execu^{con}. Given &c: this 9th day of January 1671.

Fran Lovelace.

To Cap^t Chamb^{rs}, Cap^t Pawling,
& y^e Schout & Co^mmissaryes at
Kingston in Esopus.

No. XCVII.

NEW YORK CITY—ISAAC BEDLOO CAPTAIN
OF FOOT COMPANY.

G. E.
4: 110
(NYSL)

Commission for M^r Isaack Bedloo to bee Cap^t
of a ffoot-Company in this City.

1669

By Vertue of y^e Commission & Authority unto mee given by his Royall Highness James Duke of Yorke and Albany &c: I doe Constitute & Appoint you Isaack Bedloo to bee Cap^{tn} of a Foot Company Lysted or to bee Lysted wthin this City & Precincts. You are to take into yo^r Charge & care y^e said Company as Captaine thereof, & duely to Exercize both yo^r inferiour Offic^{rs} & Souldyers in Armes, &

to use your best care, skill, & Endeavour to keep them in good Order & Discipline; hereby requiring all inferiour Officers & Souldyers under yo^r Command to obey you as their Captaine; And you are likewise to observe & follow such Orders & Directions as you shall from time to time receive from mee or other yo^r superiour Offic^{rs} according to y^e Discipline of Warr. Given under my Hand & Seale y^e 1^{rst} day of [*blank*] in y^e 21th yeare of his Mā^{ties} Reigne, Anno^q Domini 1669.

G. E.
4: 110
(NYSL)

1669

[Francis Lovelace.]

Commission granted y^e same time to M^r Christopher Hoogeland to be Lieveten^t of y^e same Company. drawn according to this forme.

Commission granted at y^e same time likewise to M^r Nicholas Bayard to bee Ensigne of y^e same Company.

No. XCVIII.ALBANY AND KINGSTON — EXCISE.

An Ord^r or Proclamation about y^e Excize
of Liquo^{rs} carryed to Albany & Sopez.

G. E.
4: 272
(NYSL)

Whereas severall Comp^{ts} have been made unto mee of the irregular & unjust practices of the Masters of severall Sloopes, Vessells, & Boates going up the River, & trading at Kingston in the Esopus & Albany, frequently Enttring in the Custome-house here the Liquo^{rs} they carry up for Kingston, w^{ch} notwithstanding are not landed there, the said

1672/3
Mar. 14

G. E.
4: 272
(NYSL)

1672/3
Mar. 14

Mast^{rs} pretending they must carry them for Albany, although oftentimes they are delivered by the way into Canooes or privily sent away in their own Boates, whereby the Grand Packt or Excise w^{ch} is intended towards the support & maintenance of his Royall Highness Garrisons is defrauded in one or both the said places, the w^{ch} is against severall Ord^{rs} & Directions heretofore made to the contrary; These are to require all Masters of Sloopes, Vessells, or Boates great or small who shall hereafter goe up and trade, or carry Goods to either of the aforesaid Places, that they make a due Entry at the Custome house here of all sorts of Liquo^{rs} w^{ch} they shall soe carry up, that is to say, of Brandy, Rumm, Distilled Waters, or any other sort of Liquo^{rs}, lyable to pay y^e Duty of Excize; And in case any Master of such Sloopes, Vessells, or Boates, going up the River as aforesaid shall bee found guilty of the like fraud or deceit, and the said Liquo^{rs} found on board, over & above what is particularly exprest in the Passe or Clearing Bill at the Custome house, the same shall not only bee forfeited, & at the Governours Disposall, but the Master shall also bee lyable to pay as a ffine the Summe of [blank] hundred Guild^{rs} Seaw^t or value for y^e first Offence, & for the next to bee dealt withall according to the Act of Parliament in such Cases provided, where Mast^{rs} of Vessells shall not make due Entry, And for what Liquo^{rs} shall bee delivered by the said Mast^{rs} either at Kingston or Albany, they are likewise required to bring a Certificate thereof under the Schouts & ffarm^{rs} hands of y^e quantities, & qualities they shall Land at either place, w^{ch} shall bee unto them a sufficient Discharge. Given under my hand at ffort James in N: Yorke this 14th day of March 1672.

[Francis Lovelace.]

See Analytical Index
Vol. III.

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